

Merton Council

Borough Plan Advisory Committee Agenda

Membership

Councillors:

Aidan Mundy (Chair)
Najeeb Latif (Vice-Chair)
Linda Kirby
Dennis Pearce
Carl Quilliam
Geraldine Stanford

Co-opted members:

Substitute Members:

Stephen Crowe
Anthony Fairclough
Nick Draper

Date: Thursday 5 March 2020

Time: 7.15 pm

Venue: Committee rooms B & C - Merton Civic Centre, London Road,
Morden SM4 5DX

This is a public meeting and attendance by the public is encouraged and welcomed.
For more information about the agenda please contact
future.merton@merton.gov.uk or telephone [020 8545 3837](tel:02085453837).

All Press contacts: communications@merton.gov.uk, 020 8545 3181

Borough Plan Advisory Committee Agenda

5 March 2020

- | | | |
|---|--|---------|
| 1 | Apologies for absence | |
| 2 | Declarations of Pecuniary Interests | |
| 3 | Notes of the previous meeting | 1 - 2 |
| 4 | Adoption of Merton's Sustainable Drainage (SUDS) Design and Evaluation supplementary planning document | 3 - 14 |
| 5 | Adoption of Merton's Statement of Community Involvement (planning) | 15 - 94 |

Note on declarations of interest

Members are advised to declare any Disclosable Pecuniary Interest in any matter to be considered at the meeting. If a pecuniary interest is declared they should withdraw from the meeting room during the whole of the consideration of that matter and must not participate in any vote on that matter. If members consider they should not participate because of a non-pecuniary interest which may give rise to a perception of bias, they should declare this, withdraw and not participate in consideration of the item. For further advice please speak with the Managing Director, South London Legal Partnership.

BOROUGH PLAN ADVISORY COMMITTEE

NOTES OF MEETING – 12th September 2019

Attendees:

Cllrs: Aidan Mundy (Chair); Carl Quilliam; Linda Kirby; Geraldine Stanford; Dennis Pearce; Najeeb Latif.

Merton Council Officers: Tara Butler; Valerie Mowah; Katharine Thomas.

Meeting notes and action points

Agenda item 1: Apologies for absence - There were no apologies for absence.

Agenda item 2: Notes of previous meeting – no declarations of pecuniary interest.

Agenda item 3: Notes of previous meeting - notes of the previous meeting agreed as accurate;

Agenda item 4: Consultation on Merton's Statement of Community Involvement – Officers advised BPAC that the report will be a Cabinet decision; the word “council” was in error

Officers advised that the planning application representations would be updated to reflect the General Data Protection Regulations.

Comments from councillors:

- current redacting software is 80% successful needs to be 100%
- need to get a view on this from an IT expertise perspective
- advised to include additional sentence regarding accessibility of websites – needs to meet double A accessibility requirements

RESOLVED:

- deleted word “council” from Recommendation A
- report amended to include reference to circulating the final consultation documents to the chair of BPAC
- that the Borough Plan Advisory Committee advise Cabinet to consult on Merton's Statement of Community Involvement

Agenda Item 5: Strategic Housing Market Assessment Discussion and questions raised by councillors having noted the briefing paper. Discussions included:

- What happens with viability reports not achieving affordable housing requirements
- Affordability criteria – people can't afford the 3.5 multiplier for a mortgage or deposit
- Has the health and wellbeing board had sight of this
- Achieving homes for life
- Affordability of +3-bed homes

Agenda Item 6: South London Waste Plan -.

RESOLVED: that the Borough Plan Advisory Committee advise Cabinet to consult on the draft South London Waste Plan.

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Committee: Borough Plan Advisory Committee

Date: 5th March 2020

Wards: All

Subject: Adoption of Merton's Sustainable Drainage (SUDS) Design and Evaluation Supplementary Planning Document (SPD)

Lead officer: Director of Environment and Regeneration, Chris Lee

Lead member: Cabinet Member for Regeneration, Environment and Housing
Councillor Martin Whelton

Contact officer: Future Merton strategic planner: Ann Maria Clarke

Flood Risk Management Engineer: Tom Sly

Recommendations:

- A. That the Borough Plan Advisory Committee recommends that Cabinet adopts Sustainable Drainage (SUDS) Design and Evaluation Supplementary Planning Document.
-

- 1.1. This report recommends the adoption of planning guidance on sustainable drainage and the public realm.
- 1.2. Merton Council and 15 other local authorities across England have worked with Robert Bray Associates and McCloy Consulting to produce a sustainable drainage guide. The Guide provides a new approach to the design and evaluation of sustainable drainage systems with easy to understand and practical information for all those involved with the development process.
- 1.3. During July – August 2018 a six week public consultation was held on the draft supplementary planning document
- 1.4. Following feedback from the consultation some amendments were made to the SPD. These are:
 - To provide clarity and to highlight the importance of heritage assets in the contexts of SUDS following comments received from Historic England
 - Additional text to express the importance of SUDS from a water and Sewerage Company's perspective following comment received from Thames Water.
- 1.5. The final documents and consultation statements are available online at <https://www.merton.gov.uk/streets-parking-transport/streets-and-pavements/surface-water-drainage-and-suds>

2 DETAILS

- 2.1. Merton Council as a Lead Local Flood Authority (LLFA), is a statutory consultee for surface water drainage matters relating to decisions on planning applications for major development.
- 2.2. SuDS provide a way of managing rainwater by mimicking natural drainage and are a requirement for all new major developments. To ensure successful and affordable Sustainable Drainage Systems, they should be fully integrated from the start of the design process along with other aspects of development design.
- 2.3. The guide is for developers, architects, landscape architects or anyone who plans to build or redevelop (both residential and commercial) in Merton. It creates a shared vision of SuDS for all involved in the development process, enabling design and evaluation to meet agreed standards and ensuring that SuDS are maintainable now and in the future.
- 2.4. The SUDS SPD provides further detail and clarity to Local Plan policies in regard to flood risk management. In addition it also covers and/or explains:

Consultation

- 2.5. During the consultation, the council used different methods of public engagement to maximise public involvement and raise public awareness of the consultation.
 - A survey was conducted using Survey Monkey, the reason being it is a user friendly, recognisable and trusted. As well as Survey Monkey other consultation methods used for the consultation were:
 - Paper copies of the planning guidance and its supporting documents were made available at Merton's reference libraries
 - Dedicated webpage with copies of the guidance and supporting documents
 - Consultation details tweeted on Merton's Twitter account and information on the council's Facebook page by Merton's Communication team
 - Consultation information was placed on the council's website home page
 - Formal written consultation letters and emails sent to local residents, businesses, residential groups/organisations, environmental stakeholders e.g. Environment Agency, Thames Water and other interested parties
- 2.6. At the close of the consultation 4 responses were received:
 - Historic England
 - Thames Water
 - Natural England
 - Wimbledon Society

3 ALTERNATIVE OPTIONS

- 3.1. The alternative option would be to not adopt the SPD, this alternative option is not recommended. The SPD provides further clarity on Merton's existing adopted planning policies for SUDS in the borough to minimise effects on flood risk and drainage, taking into account the climate change.

4 CONSULTATION UNDERTAKEN OR PROPOSED

- 4.1. A summary of the comments received and the actions undertaken are contained within Appendix A consultation statements for SUDS SPD final documents are available online via www.merton.gov.uk/spg

5 TIMETABLE

- 5.1. N/A

6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

- 6.1. The SPD interprets existing planning policies and apply to relevant planning applications in Merton and has been produced using existing resources.

7 LEGAL AND STATUTORY IMPLICATIONS

- 7.1. The SPD has been produced under the Town and Country Planning (Local Planning) (England) Regulations 2012 and taking into account the Flood and Water Management Act 2010.

8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

- 8.1. No implication. The SPD has been subject to a Strategic Environment Assessment (SEA) screening. The council is statutorily required to consult with three government environmental advisor bodies namely the Environment Agency, Historic England and Natural England. The council received comments from Natural England and the Environment Agency whom supported the findings of the SEA screening.

9 CRIME AND DISORDER IMPLICATIONS

- 9.1. None, the council invited the Metropolitan Police Service to take part in the consultation; we received no comments.

10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

- 10.1. None

11 APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT

- Available online at:

- <https://www.merton.gov.uk/streets-parking-transport/streets-and-pavements/surface-water-drainage-and-suds#design>
- Available on request by contacting 020 8545 3837 or future.merton@merton.gov.uk

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BACKGROUND PAPERS

- National Planning Policy Framework (NPPF) 2019
- London Plan 2016 and Intend to Publish London Plan 2019
- Merton's Sites and Policies Plan 2014
- Merton's Core Planning Strategy 2011
- Draft Local Plan 2019
- Consultation statement – Sustainable Drainage (SUDS) Design and Evaluation Supplementary Planning Document (SPD)
- The SPD has been informed by technical guidance produced by Environment Agency, the government's SUDS Non- standard Technical Standards, Association of SUDS Authorities and Construction Industry Research and Information Association (CIRIA) 2015 SUDS Manual.



Statement of Consultation for the Sustainable Drainage (SUDS) Design and Evaluation Supplementary Planning Document (SPD) February 2020

1 Introduction

- 1.1 This document sets out how the London Borough of Merton complied with the consultation requirements of Merton's Statement of Community Involvement (SCI) (2006) and the Regulations (The Town and Country Planning (Local Developments) (England) (Amended) Regulations 2012) for the Sustainable Drainage (SUDS) Design and Evaluation Supplementary Planning Document (SPD), known as the SUDS SPD.
- 1.2 Regulation 22 of the Town and Country Planning (Local Development) England) (Amended) Regulation 2012 requires local authorities to prepare a Statement of Consultation setting out:
- i. Which bodies and persons the local planning authority were invited to make representations under the Regulation
 - ii. How those bodies and persons were invited to make representations under either of those regulations
 - iii. A summary of the main issues raised by the representations made pursuant to either of those regulation, and
 - iv. How any representation made pursuant to either of those regulations have been taken into account

2 Merton's Statement of Consultation (SCI)

- 2.1 Merton's SCI was adopted in 2006 and describes how the community can be involved in the preparation of planning development documents. In 2019, the Council engaged with the public on the new SCI, this document is expected to be adopted in spring 2020. The SCI is part of Merton's ¹Local Plan and sets out the council's commitment to community involvement in planning. It explains how Merton's local community, residents groups/association/organisations, stakeholders, and other interested parties can be involved in developing planning documents, by informing the council what they think of a plan/strategy, provide additional information and suggest changes to the a plan/strategy.
- 2.2 Some of the engagement tools set out in the SCI has changed since its adoption in 2006. For example the council now has a Facebook and Twitter pages which is used as an additional method of alerting communities to new press releases on a range of topics including council's consultations. Furthermore the council no longer has a dedicated community engagement officer for planning matters. However in spite of not having a dedicated officer, all officers are now involved in

¹ The Local Plan is a plan for the future development of the local area, drawn up by the Local Planning Authority. It guides decisions on whether or not planning applications can be granted. In law it is described as the development plan documents adopted under the Planning and Compulsory Purchase Act 2004

plan making process actively take part in and conduct outreach engagements events with the local community and other interested parties. These changes are not considered to be significant changes to the principles of Merton's SCI.

2.3 This statement reports on:

- The engagement methods used during the Sustainable Drainage (SUDS) Design and Evaluation Supplementary Planning Document (SPD)
- The feedback receive
- The council's response following this feedback.

3 How we consulted – consultation methods

1.3 During the consultation the council used different methods of public engagement to maximise public involvement and raise public awareness of the consultation. A survey was conducted using Survey Monkey, the reason being it is a user friendly, recognisable and trusted. As well as Survey Monkey other consultation methods used for the consultation were:

- Paper copies of the planning guidance and its supporting documents were made available at Merton's reference libraries
- Posters displayed at Merton's at libraries
- Dedicated webpage with copies of the guidance and supporting documents
- Consultation details tweeted on Merton's Twitter account and information on the council's Facebook page by Merton's Communication team
- Consultation information was placed on the council's website home page
- Formal written consultation letters and emails sent to local residents, businesses, residential groups/organisations, environmental stake holders e.g. Environment Agency and other interested parties

4 Consultation responses

1.4 The following section gives a summary of the response received. All individual responses can be found on the council's website via web link. A total of 4 responses were received.

5 How the council considered the submitted responses

- 1.5 The council consider all responses received. In considering and deciding whether to take aboard comments and make changes the council had to consider the following:
- Is the proposed change in accordance with planning policy and guidance?
 - Would the proposed change exceed Merton's Local Plan policies?
 - Is the comment in the context of the SPD and not related to other matters outside or not within the scope of the SPD for example submitted planning applications?

1.6 All comments received were assessed against the above and the appropriate changes to the SPD were made accordingly.

Figure 1: Responses *received summary and Merton Council's response*

Company/Residents Group/Community Organisation	Comment received (extracts)	Merton Council response
The Wimbledon Society	<i>We consider that whilst a lengthy document may be necessary to cover all the intended guidance, there is a risk that the detail will overcome the message. Accordingly, we suggest that the final version incorporate a one-page summary at the beginning of the document for ease of reference and understanding with, of course, cross references to the detail that follows.</i>	<p>We welcome the response from the Wimbledon Society. Due to the nature of the topic it would be difficult to provide a one page summary as the topic is huge and has many components to it.</p> <p>The first chapter of the document provides a less technical, read</p>

		friendlier introduction to the subject of SUDS.
Historic England	<p>Generally supportive of the SPD but provided the following comments:</p> <p><i>The draft SPD could be more clearly indemnify the historic environment s as a factor affecting site conditions and highlight the SuDS design should be respond appropriately. We note that this is referred to in passing on page 59 of the document but we suggest that the SPD would be improved if this were incorporated into one of the design principles already outlined at the start of the document.</i></p> <p><i>For example, section 4 of the SPD relates to the multifunction nature of SuDS measures, one of these multifunctional benefits could be the potential, through the use of appropriately designed and detailed SuDS schemes, to improve or enhance the setting of heritage assets such as listed buildings or conservation areas. Equally it is important that the document acknowledges that historic building, for example, can be damaged by some types of flood mitigation measures or some types of standardised components and so often need a tailored approach.</i></p> <p><i>It is also recommended that the potential impacts upon the historic environment, as well as upon the wider character and appearance of an area, is recognised within the context of maintenance. The maintenance and management of SuDS systems will be pertinent if SuDS are to continue to provide positive impact for the historic environment</i></p>	<p>We welcome the support of Historic England have incorporated Historic England' valuable comments and suggestions into the final SCI, where appropriate.</p>

	<i>in the long term.</i>	
Thames Water	<p>Overall the guidance document is very good; easy to follow, very thorough and covers all SuDS types. However it seems to lack as much detail on rainwater harvesting as a means of surface water management (in comparison to the detail provided on other SuDS features which would be considered further down the drainage hierarchy, as per the London Plan). We recommend that the document provide more guidance on how to successfully install rainwater harvesting and demonstrate that it can be viable.</p> <p>Page 17 – Section 5.1 para 4: <i>The LPA/LLFA may choose to consult Thames Water, as a non-statutory consultee.</i></p> <p>Section 5.2 para 1: <i>Thames Water should be listed in this paragraph. E.g. “...the planner, LLFA, Thames Water and all other parties...”</i></p> <p>Page 25: <i>Would stress the importance of providing Concept Design at pre-app stage from a Thames Water perspective as it enables early discussion with us in terms of available capacity in the receiving sewer network (particularly combined sewers).</i></p> <p>Page 49 Section 7.5.1 para 3: <i>Would also include Thames Water in the paragraph ‘Constructive discussion between...’</i></p> <p><i>Suggest providing a link to Thames Water Pre-Development enquiry webpage here https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Water-and-wastewater-capacity</i></p> <p>Page 57 Section 8.0 para 1: <i>Include Thames Water in opening paragraph, as SuDS design may be dependent on receiving sewer capacity.</i></p> <p>Page 72 Section 9.3.3 bullet 5: <i>Separate bullet point for discharge consent to public sewer and expand bullet point by including info on connections process or by simply providing the below link to our webpage on connections</i></p>	<p>We welcome the support of Thames Water. We have taken on board Thames Water’s comments throughout the document and welcome their supportive words.</p> <p>We have:</p> <ul style="list-style-type: none"> • Replaced reference to sewer company with Thames Water, for consistency of approach • Included rainwater harvesting as a measure to reduce the demand on sewer capacity and clean water supply network. • Included encouraging words to support

	<p><i>With regard to surface water drainage it is the responsibility of the developer to make proper provision for drainage to ground, watercourses or surface water sewer. It is important to reduce the quantity of surface water entering the wastewater system in order to maximise the capacity for foul sewage to reduce the risk of sewer flooding. Thames Water recognises the environmental and economic benefits of surface water source control, and encourages its appropriate application, where it is to the overall benefit of their customers. However, it should also be recognised that SUDS are not appropriate for use in all areas, for example areas with high ground water levels or clay soils which do not allow free drainage. SUDS also require regular maintenance to ensure their effectiveness</i></p> <p><i>Limiting the opportunity for surface water entering the foul and combined sewer networks is of critical importance to Thames Water. Thames Water have advocated an approach to SuDS that limits as far as possible the volume of and rate at which surface water enters the public sewer system. By doing this, SuDS have the potential to play an important role in helping to ensure the sewerage network has the capacity to cater for population growth and the effects of climate change.</i></p> <p><i>SUDS not only help to mitigate flooding, they can also help to:</i></p> <ul style="list-style-type: none"> <i>• improve water quality</i> <i>• provide opportunities for water efficiency</i> <i>• provide enhanced landscape and visual features</i> <i>• support wildlife and provide amenity and recreational benefits</i> <p><i>With regard to surface water drainage, Thames Water request that the following paragraph should be included in the new Local Plan: "It is the responsibility of a developer to make proper provision for surface water drainage to ground, water courses or surface water sewer. It must not be allowed to drain to the foul sewer, as this is the major contributor to sewer flooding."</i></p>	<p>early consultation with Thames Water before planning applications, through the either the pre-planning process/conceptual design.</p> <p>We welcome the useful comments regarding Merton's new local plan and will continue to engage with Thames Water on the Local Plan.</p>
Natural England	Supportive of the SPD.	We welcome the support of Natural England - no changes required.

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Committee: Borough Plan Advisory Committee

Date: 5th March 2020

Wards: All

Subject: Adoption of Merton's Statement of Community Involvement (planning)

Lead officer: Chris Lee, Director for Environment and Regeneration

Lead member: Councillor Martin Whelton, Cabinet Member for Regeneration, Housing and Transport;

Contact officer, Ann Maria Clarke, Strategic Planner, Future Merton

Recommendations:

- A. That the Borough Plan Advisory Committee advises Cabinet to adopt Merton's Statement of Community Involvement (planning)
-

1. Purpose of report and executive summary

- 1.1 Merton's Statement of Community Involvement (SCI) sets out how the Council will involve local people, local businesses, stakeholders and other interested parties when preparing development planning documents and submitted planning applications.
- 1.2 In October 2019 Merton's Cabinet resolved to undertake public consultation on a draft SCI. A total of 31 responses were received and the SCI has been updated with the findings (see appendix A). Updates are made in red text for clarity; this red text will be removed if the SCI is adopted.
- 1.3 This report recommends that the Borough Plan Advisory consider the updates to Merton's Statement of Community Involvement and recommend that Cabinet adopt it.

2. Details

- 1.4 In accordance with planning legislation, the draft SCI outlines:
- How and when the Council will involve local communities, businesses, voluntary sector and other interested parties in the production of development planning documents for example Local Plans, supplementary planning documents, neighbourhood plans and on submitted planning applications;

- The planning process;
 - How the Council will provide feedback to comments made during consultations;
 - The consultation methods to be used.
- 2.1 The consultation started on 28th October and closed on the 8th December 2019. A total of 31 response were received of which, 21 were from the online survey.
- 2.2 The following techniques were used to raise awareness of the consultation
- Notified all the names of individuals, groups and organisations held on the Local Plan database¹. These are made up of local residents, businesses, faith, environmental, civil and community groups.
 - Consultation awareness messages on the Council's social media platforms such as Facebook and Twitter.
 - In addition the Council placed adverts on Facebook.
 - iConsult alerts to residents and businesses signed up to the receive alerts (iConsult has circa 2000+ subscribers)
 - Dedicated webpage
 - Dedicated officer available to answer any questions by way of email, phone calls or invited to community groups/societies meetings.

Summary of responses received

- 2.3 The majority of responses welcomed a new SCI. During the public engagement two topic dominated the response received;
- Comments on the council's Design review panel
 - Representations on planning applications from individuals are no longer displayed in full on the council website.
- 2.4 The responses can be viewed on the [Council's website](#) and a summary of the public engagement can be found in the Consultation Statement (Appendix B)

Changes to the SCI

- 2.5 The following changes to the SCI were made in light of the responses received.
- Providing clarity and additional information on engagement tools/accessible engagement for Disabled people
 - Highlight the Council's 'Get Involved' webpage and alerts

¹ If you'd like to be added to our Local Plan consultation database.
Email: future.merton@merton.gov.uk

- Providing further clarity and explanation on the Pre-application and planning application processed, Design Review Panel.

3. Alternative options

- 3.1 Officers consider that there are no reasonable alternatives to updating Merton's Statement of Community Involvement 2006. The SCI is a legal (statutory) document that must be complied with by all planning processes including the process of agreeing planning documents and making decisions on planning applications.

4. Consultation undertaken or proposed

- 4.1 As set out in the body of the report.

5. Timetable

- 4.2 On adoption the SCI will become a supporting document to Merton's Local Plan. It is made available to view on the Council's webpage and a reference copy at Merton's libraries.

6. Financial, resource and property implications

- 6.1 The costs of preparing SCI fall within existing council budgets.

7. Legal and statutory implications

- 7.1 This SCI has been produced under section 18 (1) of the Planning and Compulsory Purchase Act 2004, to prepare and maintain a SCI.

8. Human rights, equalities and community cohesion implications

- 8.1 An Equality and Diversity Impact Assessment was carried on during the production and adoption of the SCI.

9. Risk management and health and safety implications

- 9.1 No implications

10. Appendices – the following documents are to be published with this report and form part of the report

- 10.1 Appendix A: Statement of Community Involvement (SCI)
10.2 Appendix B: consultation statement on Merton's draft SCI

11. Background Papers – the following documents have been relied on in drawing up this report but do not form part of the report

- The Planning and Compulsory Purchase Act 2004 (as amended)
- The Localism Act 2011
- The Town and Country Planning (Local Planning) (England) Regulations 2012
- The Town and Country Planning (Development Management Procedure) (England) Order 2010 and
- The National Planning Policy Framework (NPPF 2019)

Statement of Community Involvement (SCI) January 2020

**Tracked version = amendments following consultation
(If adopted the red tracked changes will be removed)**



Reviewing the Statement of Community Involvement (SCI).

The SCI will be kept under reviewed and updated when necessary to reflect current practice and changes to consultation methods and planning legislation requirements.

The SCI itself does not create planning policy, amend existing or give further details on planning policies or regeneration projects.

General Data Protection Regulation (GDPR)

EU law on data protection and privacy for all individual citizens of the European Union and the European Economic Area. It also addresses the transfer of personal data outside the EU and EEA areas.

Merton Council handles all personal data received in line with its Privacy Policy, available at <https://www.merton.gov.uk/council-and-local-democracy/data-protection-and-freedom-of-information/policies>

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1. Introduction

- 1.1 Planning can help to shape how places, areas and spaces can look where people live, work and play. Therefore it is essential that the local communities, businesses, key stakeholders, neighbouring boroughs and other interested parties have an opportunity to take part in this process.

2. What is the Statement of Community Involvement?

- 1.2 Merton's Statement of Community Involvement (SCI) sets out how the council will involve local people, local businesses, other key organisations and stakeholders when preparing planning policies documents and on submitted planning applications. All local planning authorities (the council) are required under section 18 (1) of the Planning and Compulsory Purchase Act 2004, to prepare and maintain a SCI.

3. Our approach to involving the local community in planning

- 1.3 We want to ensure local communities are better informed about planning, its role in shaping the development and growth in Merton. To achieve this we aim to follow these additional principles:

- Be transparent in the way planning decisions are carried out
- Be realistic about the opportunities for change in any consultation
- Promote the use of electronic methods of consultation including email and the council's website to make involvement easier, quicker and more cost effective
- Be clear and helpful in guiding people through the planning process
- Be inclusive in consultations so a broad range of views are heard from people living and working in the borough
- Be open about the constraints imposed by regulations and planning policies (national and regional)
- Seek views at the earliest possible stages and throughout the planning process.
- Give feedback to comments made during consultations
- Use consultation methods that are appropriate to the stage of the planning process and the issues being considered

4. Merton's SCI background

- 1.4 In 2006 Merton Council adopted its SCI. However since its adoption there have been a number of changes to planning legislation, planning guidance and technological advances such as social media, which have changed the way public consultations and engagements are carried out which means Merton's SCI (2006) requires updating.
- 1.5 In accordance with the relevant legislation this SCI sets out how, when and who will be consulted throughout the preparation of a development planning document such as a Local Plan and other statutory development planning documents for example Supplementary Planning Documents (SPDs) prepared by the council. Furthermore, it also sets out how the council will consult on planning applications.
- 1.6 In addition to legislative requirements of what should be included in an SCI, this document also sets out the principles for consultation/engagement on Neighbourhood Plans/planning¹. This SCI has been prepared in accordance with:
- The Planning and Compulsory Purchase Act 2004 (as amended)
 - The Localism Act 2011,
 - The Town and Country Planning (Local Planning) (England) Regulations 2012
 - The Town and Country Planning (Development Management Procedure) (England) Order 2010 and
 - The National Planning Policy Framework (NPPF 2019).

5. The benefits of involving the local community

- 1.7 Merton's local communities are those that are most likely affected by development in their local area and more importantly, know the most about their neighbourhood and how they would like it to grow and be shaped for the future. There are many benefits in involving local communities in the planning process for the council, these include:
- Benefiting from the detailed local knowledge and perspective of local people and community organisations/groups
 - Community commitment to the future development and growth of their area
 - Greater support for policies, strategies and decisions
 - Improving wellbeing and the environment (built and natural environment) within Merton.

6. Accessible consultations and engagement

¹ Neighbourhood planning is a right for communities introduced through the Localism Act 2011. Communities can shape development in their areas through the production of Neighbourhood Development Plans, Neighbourhood Development Orders and Community Right to Build Orders <https://www.gov.uk/guidance/neighbourhood-planning--2>

For consultations the following considerations should be considered when holding public consultation and/or events in Merton to ensure they are accessible. The points outlined below, should be considered when holding consultations/engagement whether held by applicants or the Council or neighbourhood planning forums or any other event in the context of planning process:

- Ensure venue(s) acoustic is good especially in large rooms (even without hearing aids it can be hard to hear due to echoing effects). The use of microphones and speaker should be considered not only for the host but, for the use of the audience also.
- The room proposed for the consultation should be sufficiently large enough to house the anticipated numbers of attendees.
- Building that is compliant to meet needs of disabled people and people with reduced mobility for example: with lift, ramps, accessible toilet, sensory sensitivity
- Time of meeting - consideration for those with caring responsibilities (e.g. school pickups and drop-offs), work patterns, safety (avoiding late night meetings)
- Signers for people who are either deaf or have impaired hearing
- Induction loops
- In a location with high footfall
- Accessible location that has good transport links
- Buildings that are located in a well-lit area if consultation is taking place at night
- Parking for disabled people
- If providing refreshments check dietary needs
- Always provide water
- Handouts and presentations in plain English and alternative formats such as braille.
- Ensure presentation slides do not have complicated backgrounds for those with visual impairments and dyslexia
- Use plain simple English language i.e. 'Plain English'² particularly when providing information about planning.
- Provide translated documents on request in accordance with the Ministry of Housing, Communities and Local Government – formerly the DCLG³): Guidance on translation into foreign languages
- Provide documents that are available in other formats on request The main audio formats⁴ are:
 - audiotape
 - digital audio files, for example MP3 format



² <http://www.plainenglish.co.uk/>

³ www.parliament.uk/DCLG-guidance-on-Translation

⁴ <https://www.gov.uk/government/publications/inclusive-communication/accessible-communication-formats>

- CD-ROM
- CD
- Communicate consultation as widely as possible and ensure that consultation is advertised in specialist press targeted at groups and use social media where appropriate.

7. **Our approach to involving the local community in planning**

1.9 We want to ensure local communities are better informed about planning, its role in shaping the development and growth in Merton. To achieve this we aim to follow these additional principles:

- Be transparent in the way planning decisions are carried out
- Be realistic about the opportunities for change in any consultation
- Promote the use of electronic methods of consultation/involvement including email and the council's website to make involvement easier, quicker and more cost effective
- Be clear and helpful in guiding people through the planning process
- Be inclusive in consultations so a broad range of views are heard from people living and working in the borough
- Be open about the constraints imposed by regulations and planning policies (national and regional)
- Seek views at the earliest possible stages and throughout the planning process.
- Give feedback to comments made during consultations
- Use consultation methods that are appropriate to the stage of the planning process and the issues being considered

8. **Statutory development planning documents**

1.1 Planning in England is policy led and having local planning policies in place is important to ensure that the right development in Merton takes place.

1.2 Merton's Local Plan currently consists of the National Planning Policy Framework (NPPF), national Planning Policy Guidance (PPG), the London Plan and its supporting (for example supplementary planning documents/guidance) and:

- **Core Planning Strategy (2011):** sets out Merton's strategic objectives of the planning framework for the borough. It brings together strategies relating to land use in an integrated manner to provide a long term spatial vision and a means to deliver that vision.
- **Sites and Policies Plan (2014):** consist of **development policies and site allocations for future development in the borough** and

~~proposals from other local plan documents, namely the Core Planning Strategy, the Site and Policies plan, South London Waste Plan.~~

- **Polices Map (2014):** contains policies to help the council to implement its Core Planning Strategy policies to ensure all proposed development reflects the spatial vision for the borough and provides detailed policy to guide planning decisions

1.3 The above documents will be replaced with a new Local Plan for Merton, which will be one document. The document will still consist of strategic and development policies and; site designations for example for open space and development site allocations, as seen on the Policies Map. The new Local plan is expected to be adopted in 2021.

- **South London Waste Plan (2011)** (*also known as Joint Waste Development Plan Document*). Sets out the issues and objectives to be met in waste management for the next ten years. It is a joint Development Plan Document and covers the geographical area comprising the London Borough of Croydon, the Royal Borough of Kingston upon Thames, the London Borough of Merton and the London Borough of Sutton.

1.4 Merton and neighbouring boroughs (named above) will be producing a new South London Waste Plan, expected to be adopted in 2021⁵.

- **Estates Local Plan** (2018): sets out site specific development planning policies for three housing estate in the borough (this document is used in conjunction with other Local Plan documents)

1.5 The new Local Plan, together with new South London Waste Plan and the Estates Plan will be collectively known as Merton's Local Plan and collectively will determine all development proposals in Merton. **Merton's Local Plan can be viewed via:** <https://www.merton.gov.uk/planning-and-buildings/planning/local-plan>

Who will we consult?

1.6 The Town and Country Planning (Local Planning) Regulations 2012⁶ set out the plan preparation process and minimum requirements for public involvement (regulations 18 to 26). As a minimum the council must consult and invite representations (comments) with '*specific consultation bodies*', '*general consultation bodies*' and residents or other persons such as local businesses in the Local Planning Authority's (LPA) area, namely Merton. A current list of specific and general consultees is provided in

⁵ This is subject to change and depends on when the Examination in Public takes place v Planning Inspector reports for both documents the finding

⁶ <http://www.legislation.gov.uk/uksi/2012/767/contents/made>

Appendix A.

Figure 1: Stages in the preparation of Development Plan Documents

Pre-production evidence gathering and stakeholder involvement	Research and evidence gathering to underpin the plan may involve consultation with relevant stakeholders
Public participation in the preparation of the plan (Regulation 18)	This is a widespread process which may involve more than one stage of consultation depending on the document and the nature and scale of issues involved. This is the key stage to get involved and shape the plan content. Formal consultations will run for a minimum of six weeks.
Publication and submission of plan to the government (Regulations 19, 20 and 21, 22)	We will consult on the 'submission' version of the plan for a minimum of six weeks. This stage is for parties to submit comments on the 'soundness' ⁷ of the plan prior to submission to the government. A summary of all the consultation, the main issues raised and how these were taken into account will be submitted alongside the plan to the government.
Examination of the plan by a Planning Inspector (Regulation 24)	Relevant consultees and those who made a representation at the <i>submission stage</i> will be notified of the examination. The examination includes consideration of the comments received during the previous stage and will involve public examination hearings. Those who responded may be invited to attend an examination hearing by the Inspector. The examination may result in the Inspector posing additional questions for the council and other bodies making representations. This information/correspondence will be made publically available.
Publication of the Inspector's recommendations (Regulation 25)	Following the Examination the Inspector will publish a report which assesses the 'soundness' of the planning document. This report will contain the Inspector's recommendations and any Modifications (if necessary) to the planning document. This report will be publicly available. If considered to be significant 'material changes' the Inspector can advise a further round of public consultation, usually for 6 weeks
Adoption of the plan by the council (Regulation 26)	This is the final stage where the plan is formally adopted by the council.

How we will involve the community in preparing policies

⁷ The preparation of the document needs to be legally compliant. The inspector will test how 'sound' the document is by assessing relevant evidence from both the local planning authority and any formal written comments. The inspector will only take into account the comments made on the 'published' plan before it is formally submitted to the Secretary of State

- 1.7 The ways that we may choose to involve the community and stakeholders in the production of development planning documents are set out in figure 2 below. The methods we use at any particular stage will depend on and be informed by:

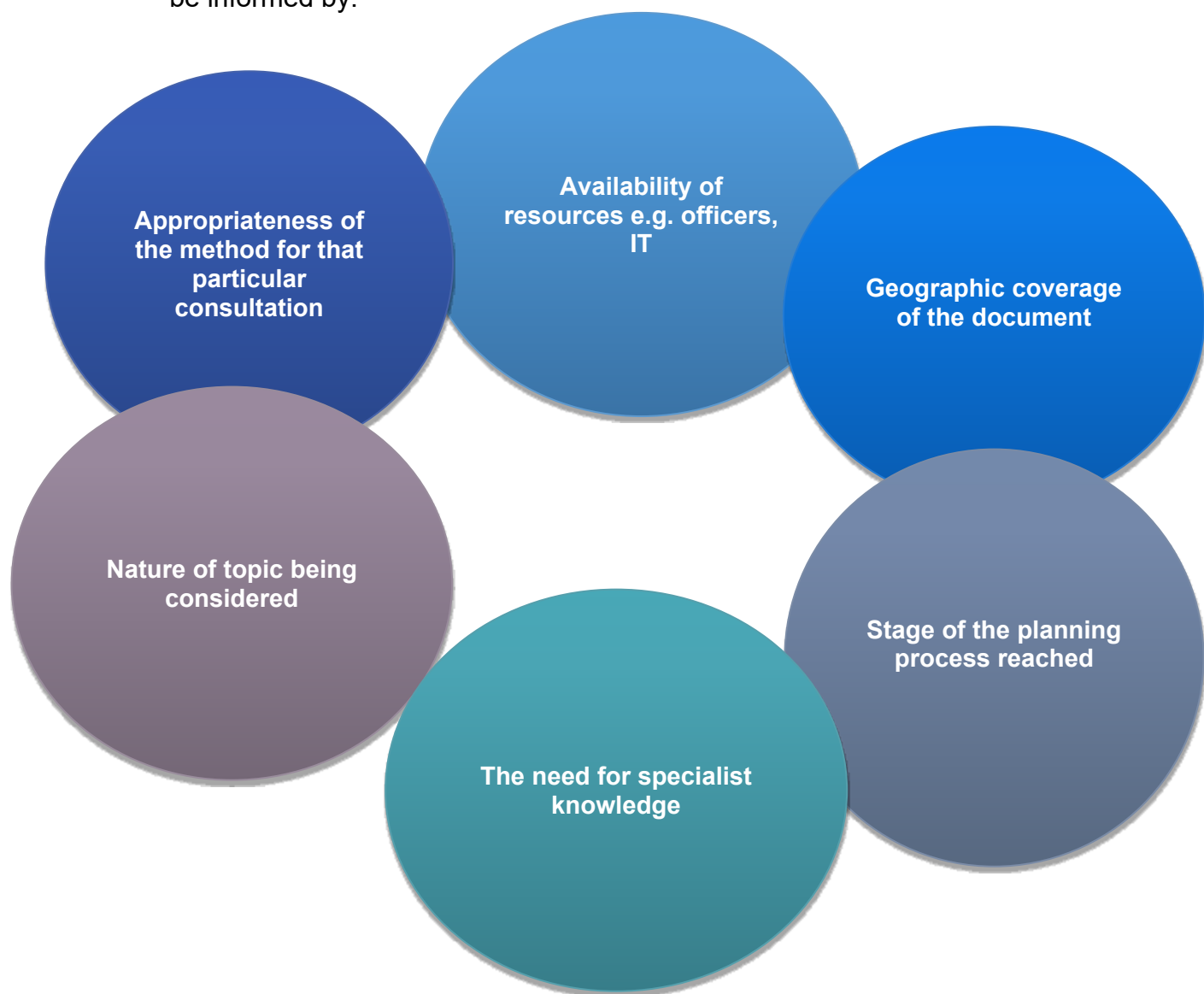


Figure 2: Consultation methods the council may use for planning documents

Website	All planning policy documents, consultations and supporting information will be available on our website. We may also use the website for online surveys, questionnaires and feedback or other consultation websites such as Survey Monkey
Get involve	Details of consultations will be added to Merton Council's 'Get involve consultation database. To get alerts please register at: https://www.merton.gov.uk/council-and-local-democracy/get-involved
Social Media	We may use social media such as the council's twitter or Facebook pages when appropriate e.g. to post updates or notify of consultation events and publications. Please note that use of social media will be for notification purposes only and not used for the receipt of consultation responses or used as a discussion forum.
Email	We will use emails as our main method of communication. Emails may include information on consultations, responses and the stage of preparation reached, adoption and general updates.
Local Plan database <i>(This database is maintained by Future Merton team and is solely used by the future Merton team for development planning document consultations.</i> <i>Any requested changes or removal of details held on the Local Plan database will only be applicable to this database only. Changes for other council teams must be reported to the relevant council team directly.</i>	We may email updates from this database to keep people updated on all relevant planning policy matters. The main method used for this will be the webpage. If you would like to be added to this Local Plan database or need to change contact details or wish to be removed from this database please email: future.merton@merton.gov.uk
Local Press	We may advertise certain consultations and stages of a plan preparation in the borough local press called The Wimbledon Times, which cover the whole of the borough. This will be determined by the council's statutory requirement to do so. These adverts/notices will let you know where more information can be found and how to get involved.
Meetings/ Community Forums	If we are invited we may meet with residents groups/organisations and other community groups relevant to the document being prepared.
Workshops	Workshops and facilitated events may be appropriate to discuss issues in detail and ensure that a range of people have a chance to express their concerns.
Targeted events	It may be necessary to arrange meetings with groups who do not normally respond to planning policy consultations to make sure their views are heard. Children and young people The Council may engage with schools (with the agreement of the head teacher), Youth Parliament and youth groups.

	<p>Ethnic Minorities This may be in partnership with community/community forums/religious/ethnic minority groups/associations or leaders.</p> <p>Disabled/Mental health This may be in partnership with voluntary organisations, charities, health professionals and other special interest groups.</p>
	<p>My Merton (Merton Council borough wide magazine). We may advertise consultations for development planning documents in My Merton. This may not always be possible as this is a quarterly publication and publishing date times may not be the same as consultations timetables.</p>

How we will use the results of consultation and engagement

- 1.8 When a consultation ends we will consider the comments we have received and if necessary make changes, it must be noted that all changes following a consultation is required to be in conformity with national/ regional planning legislation, policies and guidance. We will also produce a Statement of Consultation report which will set out:
- Who was consulted
 - How they were consulted
 - A summary of the main issues raised in the comments
 - Our response to the comments
 - How the comments have been taken into account.
- 1.9 This statement will be published on our website alongside the consultation documents in question.
- 1.10 All comments received for Local Plan and other planning policy and guidance consultations will be available to view on the Council's website with all personal details removed.

Supplementary Planning Documents (SPDs)

- 1.11 The Council may also produce other planning documents such as Supplementary Planning Documents (SPDs). They can be used to provide further guidance for development on specific sites, or on particular issues, such as design. They do not have as much weight in decisions as development planning documents but do play an important role in giving more information and detail on how our Local Plan policies will be applied.
- 1.12 SPDs are not subject to a public examination with a planning inspector, as they are prepared by the council to give further details to adopted Local Plan policies.

Figure 3: Stages in the preparation of Supplementary Planning Documents (SPDs)

Development of evidence base and preparation of draft SPD	This may involve a range of different consultation and engagement activities depending on the topics and coverage of the SPD.
Public consultation on the draft supplementary planning document (Regulation 12 and 13)	This is the key stage to shape the content of the plan. Statutory minimum “ <i>being not less than 4 weeks period</i> ” for parties to submit representations
Adoption of the supplementary planning document by the Council (Regulation 14)	This is the final stage where the plan is formally adopted by Merton Council and an adoption statement is published.

Figure 4: Merton Council commitment for SPD consultations

Stage	Our commitment
Preparation	At this stage, we will publish on the council’s website the intention to produce an SPD and ask for comments from interested people or organisations. We may also arrange other events or workshops to discuss the content of the SPD. A consultation statement will be prepared, setting out who was involved in this stage, the comments they made, and how these comments were addressed.
Consultation	A completed draft of the SPD will be published for formal consultation. We will make available copies of all consultation material (including the consultation statement) on our website, reference libraries and Merton Civic Centre, as well as contacting the specific and (where appropriate) general consultation bodies (as set out in Appendix B). We will consult for at least weeks and a further consultation statement will be prepared after the consultation is finished.
Adoption	Upon adopting the SPD, we will prepare an adoption statement and make it, the SPD, and the consultation statement available at the Merton Civic Centre, on our website and at reference libraries.

Neighbourhood Planning

- 1.13 The Localism Act 2011 allows for the preparation of Neighbourhood Development Plans (often referred to simply as Neighbourhood Plans). A Neighbourhood Plan is prepared by the community through designated neighbourhood forums and sets out policies on development and use of land in the defined neighbourhood area. Neighbourhood planning is not a legal requirement but a right which, communities in England can choose to use.
- 1.14 Communities may decide that they could achieve the outcomes they want to see through other planning routes, such as incorporating their proposals for the neighbourhood into the Local Plan or through other planning mechanisms such as Local Development Orders and SPDs or through pre-application consultation on development proposals.
- 1.15 Communities and local planning authorities should discuss the different

choices communities have to achieve their ambitions for their neighbourhood. If brought forward by a community and when formally agreed by the council, the neighbourhood plan becomes a statutory planning document and must be taken into account when making decisions on planning applications in that neighbourhood. This means it has the same degree of weight in decision making as the Local Plan.

- 1.16 If the policies and proposals are to be implemented as the community intend, the neighbourhood plan must be deliverable. The National Planning Policy Framework (NPPF), requires that the sites and the scale of development identified in a plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened.
- 1.17 The Neighbourhood Planning (General) Regulations 2012 ⁸ sets out the consultation requirements for neighbourhood planning, including the responsibilities of the local planning authority. The Council will undertake its statutory duty with respect to these regulations. The Council recommends that local people consider using the methods of community involvement set out in this SCI as the basis for their own sound and inclusive consultation on the preparation of their neighbourhood plan (including formation of the forum and neighbourhood area).
- 1.18 A Neighbourhood Plan become part of the Local Plan and the policies contained within them are then used in the determination of planning applications. The Ministry of Housing, Communities and Local Government (MHCLG) has made funding available to provide support and grants for communities looking to develop Neighbourhood Plans and Neighbourhood Development orders.

Figure 5: Stages in the preparation of Neighbourhood Plans

Receipt of Neighbourhood Area / Neighbourhood Forum application (Regulation 6 and 9)	Merton Council shall consult for not less than six weeks, as soon as possible after receipt of a complete application. We will publish the applications on the website and bring the applications to the attention of people who live, work or carry on business in the area to which the application relates.
Publishing Designation of Neighbourhood Area and Neighbourhood Forum (Regulation 7 and 10)	If Merton Council approves the application, we will publicise the decision on the website and in such a manner to bring the designations to the attention of people who live, work or carry on business in the area to which the application relates. If refusing an area or forum application. The council will publish: <ul style="list-style-type: none"> • a decision statement setting out the reasons for refusal • details of where the decision may be inspected

⁸ <http://www.legislation.gov.uk/ukxi/2012/637/contents/made>

Publicity by the Neighbourhood Forum of a Neighbourhood Development Plan prior to submitting to the Council (Regulation 14)	<p>The Neighbourhood Forum leads on this stage. Before submitting a Neighbourhood Development Plan to the council, the Neighbourhood Forum should:</p> <ul style="list-style-type: none"> • Consult for a minimum of six weeks. • Ensure that they bring the plan to the attention of people who live, work or carry on business in the area to which the plan relates. • Consult the consultation body listed in Appendix C, whose interest the Neighbourhood Forum consider may be affected by the NDP • Send a copy of the NDP to the LPA. The Neighbourhood Forum can determine how to consult at this stage but they must draw up a Consultation Statement, setting out who and how they have consulted for the next stage of the process.
Following submission to the Council of the Neighbourhood Development Plan (NDP) (Regulation 16)	<p>Merton Council will:</p> <ul style="list-style-type: none"> • Consult for a minimum of six weeks • Publish the NDP on its website • Bring the NDP to the attention of people who live, work or carry on business in the area to which the plan relates. • Consult the consultation bodies referred to in the Neighbourhood Forum's Consultation Statement.
Publicising the Examiner's Report (1990 Act schedule 4B para12 (11 & 12) Regulations 18 and D & 19)	<p>As soon as possible after considering the examiners recommendations and deciding to take forward a NDP the council must publish on the website and in such a manner to bring the report to the attention of people who live, work or carry on business in the area:</p> <ul style="list-style-type: none"> • The examiner's report. • Its decisions and reasons in response to the examiner's report in a 'decision statement'. <p>Merton Council will send a copy to the Neighbourhood Forum and anyone who asked to be notified of the decision.</p>
Referendum on the NDP	Merton Council's responsibility to publicise the referendum in accordance with Neighbourhood Planning (Referendum) Regulations 2012 requirements.
Publishing the NDP <i>*subject to more than 50% people voting in favour of the NDP</i> Regulation 20).	As soon as possible after a successful referendum*, the council should publish the NDP, an adoption statement and notify any person that has asked to be notified that it has been made.

Community Infrastructure Levy (CIL)

1.19

CIL is a levy charged on most new development in Merton which

contributes some of the funding towards new infrastructure in the borough. The current CIL charging schedule was adopted in April 2014.

- 1.20 When adopting a new or revised CIL charging schedule, consultation requirements are similar to those for a Local Plan. The level of consultation will be commensurate with the type and scale of changes proposed. For changes, affecting many areas we will prepare a preliminary draft and undertake engagement on this; then prepare a final draft for which we will undertake the statutory consultation required.
- 1.21 As well as consulting with local resident representatives and organisations, we will take care to consult closely with local developers and infrastructure providers in preparing a CIL charging schedule with wholesale changes.
- 1.22 For a small change affecting a small number of potential sites a more targeted approach may be followed when consulting on draft proposals focusing on stakeholders of the respective sites, in accordance with statutory requirements. After consulting, an independent examination of the charging schedule will take place before adoption. Future details on [Merton's CIL can](#) be found on Merton's website www.merton.gov.uk/cil

9. Development Management

- 1.23 Development Management (formerly known as Development Control) is an integral part of the planning process. It puts development plans and policies into action to achieve sustainable development. Development Management includes the process by which planning applications (including applications for planning permission, listed building consent, advertisement consent and prior approval) are decided.
- 1.24 Development Management includes: pre-application engagement, which aims to shape development and deal with key planning issues well in advance of an application being submitted. Pre-application consultation is not mandatory, but is strongly encouraged. Early engagement leads to better development proposals and increases the likelihood of a proposal complying with the Local Plan.
- 1.25 The Council no longer accept any applications via post, except in exceptional circumstances.
- 1.26 All applications must be submitted through the [Planning Portal](#) website. The only exception being Prior Approvals which can be sent via email to prior.approvals@merton.gov.uk. The figure 6 below, sets out the stages a development proposal may go through in more detail (although this is indicative only and there will be exceptions to this standard pathway).

Figure 6: Stages of development proposals

Pre-application stage	The Council provides pre-applications advice to applicants on a proposed application on the request and fee submission of the applicant . Often including various options and simply seeking initial guidance.
	The applicant undertakes pre-application consultation with the local community and other relevant organisations depending on the characteristics of their site (e.g. the Environment Agency, Transport for London) . This is strongly encouraged for major and strategic applications (which includes residential applications with 10 or more dwellings or an area of 0.5 hectares or more; for other uses, those with over 1000m2 of floorspace or an overall area of 1 hectare or more). Applicants should ensure that pre-application consultation is advertised as widely as possible using different mediums (e.g. online, social media, notices in local libraries etc)
	Locally elected members (Councillors) may also have the opportunity to comment at this stage.
Application stage	The Council carries out statutory notification with the public and other stakeholders. This will always meet the minimum standards required by planning legislation and in some cases will be supplemented by additional consultation depending on the type of application.
	Development Management (DM) planning officers assess the application against planning policy (national, regional and local), taking into account the results of consultation.

	DM officers make recommendations on the application.
	A final decision is taken. Most applications are determined by senior planning officers. Larger applications and those where there is substantial public interest are decided by a Merton's Planning Application Committee (PAC) which is made up of elected councillors.
<i>Post application stage</i>	If planning permission (or a related consent) is granted, it may be subject to conditions requiring further details to be submitted and approved.
	Sometimes amendments to permissions are requested. This may involve submission of material or non-material amendments. Applications for material amendments and Reserved Matters (following grant of outline permission) will be subject to consultation similar to the application stage above.
	If permission is refused, the applicant may appeal to the Planning Inspectorate on behalf of the Secretary of State. The procedures for notifying the local community are set out in national regulations.

Pre- application discussion with applicant(s)

- 4.27 This stage of consultation is optional and there is no statutory requirement for applicants to consult before submitting an application. However, we believe it can be very useful in identifying issues, responding to concerns ~~and ensuring the views of those affected can help to improve the design of new development or influence the outcomes that will benefit there area.~~ Discussions are confidential and any advice given is without prejudice to future decisions of the Council. **The Council strongly encourages those who hope to bring forward applications for development on complicated or sensitive sites to consult with the council, the local community, community groups and other organisations relevant to the characteristics of their site or proposed development (e.g. the Environment Agency) at the pre-application stage. This is the stage at which local residents and other stakeholders can most influence the development of proposals. They are also consulted at a later stage, when a formal planning application is submitted, and can express their views on any scheme.**
- 1.28 Obtaining pre-application advice provides applicants with the following benefits:
- Understanding how the Council's policies will be applied to a proposal
 - Input from the design and conservation, planning policy, and transport and highways teams, Lead Local Flood Authority (LLFA), Public Health Merton and other departments/teams where considered necessary
 - Assisting in the preparation of proposals for formal submission, which, if the advice of planning officers is followed, should be handled more quickly and be more likely to result in a positive outcome
 - Helping to reduce the time spent in preparing the proposal
 - Indicating those proposals that are completely unacceptable and helping to improve the quality of the proposed development.

- Putting in place a Planning Performance Agreement where this would help with managing the process and agreeing any dedicated resources for progressing the application.

1.29 A properly conducted pre- application process may result in applications more likely to be recommended for approval. The Council strongly encourages those who hope to bring forward applications for development on complicated or sensitive sites to consult with the council and the local community at the pre-application stage.

1.30 The Council can advise developers on good practice for community engagement, including the length and extent of any consultation, contact details for potentially interested stakeholders in the local area, engagement methods and when the consultation should be held.

1.31 For such consultation to be meaningful, it should be held towards the beginning of the pre-application process, while there is still a realistic opportunity for the local community to help shape proposals before they are submitted as a formal application. If consultation is held just before submitting the application, the designs are likely to be more fixed and there are fewer opportunities for community engagement to influence the proposals.

1.32 Engagement methods that can be used include:

- **Merton's Design Review Panel (DRP):**

~~The Design Review Panel⁹ is made up of a group of independent professionals such as architects, urban designers and other professional working in the built environment field.~~

The Design Review Panel is set up and run by the Council to give independent professional design advice on development proposals where design is a key issue. The purpose of the DRP is to help improve design quality in the borough and the DRP advice aims to help applicants and decision makers to improve design quality in the borough.

The advice of the DRP is a material planning consideration, however the Panel is an advisory group and not a decision making body. It is not a substitute for advice given by Council officers. The Panel is made up of professionals working in the built environment field who are appointed by the council based on expertise relevant to that proposed in the borough.

Development proposals are encouraged to be reviewed at pre-application stage to ensure more scope for influencing proposals. Pre-application reviews are held in private, but the public are allowed to attend as observers for proposals that have been submitted for planning permission.

<https://www.merton.gov.uk/planning-and-buildings/regeneration-urban-design/design-review-panel>

⁹ <https://www.designcouncil.org.uk/resources/guide/10-principles-design-review>

- **Exhibitions, Community Forums and workshops:** organised by the applicant to provide information about their proposals and an opportunity for feedback.
- **Letters, leaflets and questionnaires:** organised by the applicant, this involves sending a summary of the proposals and how to respond to properties which may be affected. This will focus on informing and getting the views of the properties most affected – this could be just a few streets, or whole neighbourhoods.
- **Dedicated website:** organised by the applicant and which could show the evolution of proposals and provide a facility for feedback to be recorded.
- **Presentation of the scheme to elected members:** organised by the Council including presentations to local ward councillors and Cabinet Members.

1.33 Consultations on very large schemes can be discussed at community forums, which are facilitated by council officers. The forums can enable local residents to express their concerns on a particular development proposals.

Consultation on Planning Applications

1.34 There are many different types of application, based on the proposed development. For each of these different types of application, there are also different requirements for the council to notify residents and to consult stakeholders.

1.35 Merton Council's website is the key resource for finding out information about and commenting on planning applications. Notification of planning applications will be publicised to meet statutory requirements. All applications will be available to view on the council's webpage [planning permission website page](#)

1.36 National legislation requires that council's allow a minimum of 21 days for any comments to be made on planning applications, with a few exceptions:

- The period is extended to 30 days for applications accompanied by an Environmental Statement made under the 2017 EIA Regulations
- Merton allows an extra 2 days to all notifications to cover any bank holidays
- Notification periods have to strike a balance between allowing enough time for comments to be made and ensuring decisions are made in a timely manner. Whatever the period, it is always helpful to receive comments as soon as possible.

1.37 Consultations on planning applications will last at least 21 days, unless exceptional circumstances apply. In the case of amendments to applications, consultation will last at least 14 days. In most cases, we will notify you through one or more of the following ways:

- A letter from Merton Council if you live close to the application site.

- A site notice near the application site – these will usually be attached to a lamppost or similar object. Notices will be displayed for a minimum of 21 days.
 - A notice in a local newspaper.
- 1.38 The site notice, press notice or neighbour letter will explain where the planning application can be viewed, which will usually be on the Merton Council's planning permission website and how to make comments.
- 1.39 There is no statutory requirement to consult on the following types of applications. **These applications are published on Merton's planning explorer and receive their own unique application number.**
- Certificates of lawfulness of proposed use or development
 - Certificates of lawfulness of existing use or development
 - Internal alterations only to a Grade II listed building
 - Advertisements
 - Approval of details (exceptions are details for conservation area consents and external works to any listed building)
 - Revisions to planning applications once valid
 - Non-material amendments
 - Discharge of conditions
- 1.40 Where required by legislation, in a Conservation Area the council will erect at least one site notice in a prominent location of the proposed development. Where the council is not required by legislation the council may ask developers to put up a site notice(s). In these circumstances, the council will provide a copy of the site notice.
- 1.41 The Council may require photographic evidence which shows a sign has been erected during and at the end of the consultation period. Information on site notices will be as clear and engaging as possible (while meeting statutory requirements); this may include larger font size to attract attention.

Figure 7: Development Management consultation methods

Type of application	Site notice by the council	Neighbour notification letter	Local newspaper notice	Website
House holder		√		√
Permitted development				√
Applications for major development as defined in Article 2 of the Development Management Procedure Order.	√		√	√

Applications subject to Environmental Impact Assessments (EIA) which are accompanied by an environmental statement.			√	√
Applications which do not accord with the development plan in force in the area	√			√
Applications which would affect a right of way to which Part 3a of the Wildlife and Countryside Act 1981 applies				√
Applications for planning permission not covered in the entries above e.g. non-major development.				√
Applications for listed building consent where works to the exterior of the building are proposed	√		√	√
Applications to vary or discharge conditions attached to a listed building consent, or conservation area consent or involving exterior works to a listed building.	√		√	√
Application to discharge conditions				√
Prior approvals		√		
Applications for Listed Building Consent				√
Advertisement Consent				√
Prior Approval telecommunications				√
Prior Approval larger household extensions		√		√

Applications for permission in principle				√
Applications for reserved matters after the granting of outline permission				√
Applications for variation or removal of planning conditions		√		√
Applications for minor material amendments				√
Applications for nonmaterial or technical amendments	By definition no consultation would be necessary			
Lawful development certificates	Legal determinations and by definition no consultation would be necessary			

How to comment on a planning application

- 1.42 Once a planning application has been validated¹⁰ by the Council, we are required to make a decision on the proposal within the statutory time limit unless a longer period is agreed in writing with the applicant.
- 1.43 The Council assigns a development management planning officer known as a 'case officer' to deal with the application until the point a planning decision is made by the planning committee. The case officer will do a site visit, check plans and make a recommendations based on:
- National Planning Policy Framework (NPPF) and its associated guidance the national Planning Policy Guidance (PPG).
 - The London Plan and its associated strategies
 - Merton's Local Plan (all documents that make up Merton's Local Plan)
 - Any representations received
- 1.44 The statutory time limits are usually 13 weeks for applications for major development and 8 weeks for all other types of development (unless an application is subject to an Environmental Impact Assessment (EIA), in which case a 16 week limit applies).
- 1.45 Where a planning application takes longer than the statutory period to decide and an extended period has not been agreed with the applicant, the government's policy is that the decision should be made within 26 weeks at most in order to comply with the 'planning guarantee'.
- 1.46 Comments must be made in writing via email or letter; verbal comments will not be accepted or considered by the Council. Postings on social media will also not be accepted. The Council does not accept anonymous

¹⁰ Once an application has been deemed valid and the determination process commences, the application is placed on the planning register and given an application reference number

or confidential comments related to planning applications and any anonymous or confidential comments received will not be considered when evaluating the planning application.

- 1.47 When making a decision, the council can only take account of certain issues that are legally allowed to influence planning applications; these are known as 'material considerations'.
- 1.48 The Council welcomes comments on planning applications on other aspects of an application, but to influence the planning process responders should try to consider and refer to these material considerations.
- 1.49 Material considerations include:
- Planning policies: including the NPPF, the London Plan, Merton's Local Plan and SPDs. This can also include emerging policy plans that have been through at least one round of public consultation.
 - Previous planning decisions: including appeal decisions
 - Loss of light or overshadowing
 - Loss of privacy or overlooking
 - Design, appearance and materials of a development
 - Layout and density of buildings
 - Traffic, highway safety and parking
 - Noise, smells and other disturbances resulting from the use of a new development
 - Loss of trees or other nature conservation effects
 - Effect on listed buildings or conservation areas
 - Capacity of physical infrastructure such as public drainage or water systems
 - Deficiencies in social facilities such as school places
 - Contaminated land
- 1.50 Merton Council cannot and will not, consider issues such as potential reduction in value of a property or of a private view but, the reason why these things might happen could potentially be material considerations.
- 1.51 All comments received on planning applications will be kept on file with the application.
- 1.52 All comments received from residents and other non-statutory consultees that relate to a planning application will be made available for viewing upon request to the Development Management team at Merton Civic Centre. All personal details will be removed by the Council in accordance with General Data Protection Regulations, apart from statutory consultees. All statutory consultee comments will be available to view on the Council's website with the relevant planning application.
- 1.53 All comments will be passed on to the relevant case officer for consideration. If you send an email then you will receive an automated acknowledgement. If you send a written representation then you will not receive a confirmation letter.

- 1.54 Case officers will not generally respond to individual letters or objections, but will address the key issues and comments in their recommendation report. While case officers will take into account all comments, they will use their judgement to reach a final recommendation informed by planning policies which, may not reflect your own comments on the application. Personal information such as telephone numbers and addresses will not be displayed. The case officer's report, will set out how the application was assessed and how comments received following consultation were taken into account in the report.

How a decision is made on planning applications

- 1.55 After the consultation on a planning application is finished, the case officer will write a report setting out their recommendation. A final decision will then be taken by either a senior planning officer under delegated authority or a Merton's [Planning Application Committee \(PAC\)](#). PAC is made up of Merton's elected councillors. If an application is due to be determined at the PAC, this means that its members will make the final decision directly, on a planning application.
- 1.56 Anyone who wishes to speak at the Planning Applications Committee, although slots are limited should contact the case officer in the first instance or email to: planning.representation@merton.gov.uk
- 1.57 Where an application has been amended the council will decide whether further publicity and consultation is necessary, taking into account the public interest in the initial application and the nature and scale of the amendment relative to the initial application.
- 1.58 Where re-consultation is necessary the council will set a timeframe for responses, balancing the need for consultees to be given time to consider the issue that is being re-consulted upon and respond against the need for efficient decision making. The consultation timeframe can vary from 10 days to three weeks; depending on the nature and scale of the amendment and application.

Planning Application Committee (PAC)

- 1.59 The PAC is open to the public and meets almost every month. It is the PAC members who are responsible in deciding whether to grant or refuse planning permission, not the case officer or planning officers. PAC members represent the interests of the whole community and must maintain an open mind when considering planning applications.
- 1.60 Where members take decisions on planning applications they must do so in accordance with the planning policies (national, regional and local) unless, material considerations indicate otherwise. The meeting is recorded and the recording is available to view on the council's website.
- 1.61 Members must only take into account material planning considerations, which can include public views where they relate to relevant planning matters. Local opposition or support for a proposal is not in itself a ground for refusing or granting planning permission, unless it is founded upon valid 'material' planning reasons.

- 1.62 Members of the public can speak at the PAC meeting either in favour or in opposition to an application but, to do so, you must contact Development Management team by 12 Noon on the day before the meeting. Further details can be found at: www.merton.gov.uk/attending&speakingatBPAC
- 1.63 The agendas, minutes and reports for the PAC are made available on the council website 5 to 7 working days before an upcoming committee and the minutes are published online within 5 to 7 working days of agreement at a subsequent committee.
- 1.64 Once a decision has been made, a decision letter is sent by email (or letter if email is not possible) to the applicant. All decision made by the PAC can be viewed on the council's website at: www.merton.gov.uk/environment/planning/planningdecisionlist
- 1.65 An application may be granted subject to conditions. Such conditions may require further reports to be submitted prior to commencement of works. There is no requirement to consult the public on planning conditions. Also demonstrating compliance with conditions is not an opportunity for public comment. However, should an applicant apply to the council to vary (change) a condition, then this may trigger the need for further public consultation.
- 1.66 All applications for certificates of lawfulness and tree work and most planning and advertisement applications are determined by the planning department. This is what is known as a 'Delegated' decision - one taken by officers of the council rather than elected councillors.

10. Where you can get more help

Planning handbook: A guide to planning in Merton

- 1.67 For more information our handbook provides an introduction to the planning system, advice about when you might need to apply for planning permission, the different types of application, and your options after a decision has been made.

www.planningguide.co.uk/merton

Planning Portal

- 1.68 The Planning Portal has a great, user-friendly, section dedicated to helping you understand if you need planning permission. The interactive house and interactive terrace are the major sources of information; but there are other, interactive, mini-guides on loft conversions, extensions, conservatories, outbuildings and porches.

www.planningportal.co.uk



Planning Aid Direct

- 1.69 Planning Aid Direct is a web resource operated by Planning Aid England (part of the Royal Town Planning Institute) which provides answers to questions people often ask about planning. It gives clear, simple explanations of how the planning system works. It also signposts you to further support and advice.

www.planningaid



Royal Town Planning Institute (RTPI)

- 1.70 The Royal Town Planning Institute is the principal body representing planning professionals in the United Kingdom and Ireland. It promotes and develops policy affecting planning and the built environment. Founded in 1914, the institute was granted a Royal Charter in 1959.



11. Principles of engagement

- 1.71 This section aims to assist developers who may need to engage and hold a public involvement/consultation with local residents/business/groups. The principles below are not an exhaustive list and should be used as a guide to assist. Developers are advised to have regard to section 6: *Accessible consultations and engagement*

Web accessibility

- 1.72 Merton Council expects that all webpage(s)/webpage(s) for example, for pre application consultations are accessible and comply with the industry Web Content Accessibility Guideline (known as WCAG 2.1)¹¹ and meet the design principals set within the WACG 2.1.
- 1.73 The WCAG 2.1 are an internationally recognised set of recommendations for improving web accessibility. It set out and explains how to make digital services, websites and apps accessible to everyone, including users with impairments to their:
- vision - like severely sight impaired (blind), sight impaired (partially sighted) or colour blind people
 - hearing - like people who are deaf or hard of hearing
 - mobility - like those who find it difficult to use a mouse or keyboard
 - thinking and understanding - like people with dyslexia, autism or learning difficulties

Raise awareness

- Research the communities who may be affected.
 - When hold a consultation consider the timing and if possible avoid public holidays/ religious dates - consider extending the consultation period if possible (planning legislation and regulation will need to be a consideration).
 - Identify key individuals and groups who can spread the word such as religious/faith groups, environmental groups and disabled groups.
 - Consider different levels of awareness raising depending on proximity and location.
 - Explain what is proposed, how to find out more and why views are needed.
 - Place adverts in public places for example community centres, libraries, in shop windows, bus stops, places of worship, GPs surgeries. Consider 'trade' journals, local publications.
 - Consider developing an interactive website.
- 1.74 It is important during consultation to monitor responses and address weaknesses and issues as they happen if appropriate and/or possible.

¹¹ <https://www.gov.uk/service-manual/helping-people-to-use-your-service/understanding-wcag>

Building understanding

- Consider timing of the exhibition, public transport accessibility, language /style used. Identify whether there is a need to produce material in different languages, braille and a sign language interpreter.
- Explain the relationship with other consultations.
- Provide clear information about the project, background.
- Explain what is 'fixed', what is '*up for discussion*' and/or Identify options – be transparent.
- Consider providing a telephone hotline for those wanting more information
- Unstaffed/staffed exhibitions /drop in sessions
- Leaflets drops / Information sheets
- Dedicated and up to date website(s) and newsletters.

Consult and Communicate

- Consider establishing a residents / community steering group and work with them to identify locations for events and fine tune the content.
- Identify and connect with other community events e.g. community carnivals and festivals
- Consider holding staffed exhibitions. Interactive displays, where questions can be asked and answered
- Seek feedback and be clear what will happen to comments.
- Monitor attendance and consider additional venues / events to secure a balanced response from a board and representative community.
- Re-consult if significant changes have been made to the proposals.
- Consider using interactive websites to reach the 'silent' majority - then focus resources on the disadvantaged and hard to reach.
- Make questionnaires available for feedback and comments
- Offer presentations to local community groups/community forums/ward councilors.
- When appropriate consider requests for facilitated events Interactive websites

Discuss and Debate

- Level the playing field – facilitate the process to allow fair participation from all.
- Listen to views and share tensions between different communities.
- Invite new ideas and consider alternatives – provide responses.
- Focus sessions on key issues – capture local knowledge and ideas.
- Run visits to see similar developments elsewhere.
- Provide honest feedback and explain how comments have been included and if not, why not.
- Do what you say you will.
- Consider using independent mediators to find an agreed solution.
- Consider workshops with different groups (local residents and interest groups) to discuss development.
- Consider using and setting up a local focus groups

Effective Engagement

- Continue to support and involve groups which have contributed to the process.
- Invite feedback on issues before they develop into a crisis.
- Use engagement to inform decisions on issues such as traffic routing.
- Invite participants to share knowledge and experiences with similarly affected groups in the future, acts as mentors for others.
- Keep the website up to date with responsive key contact information. Provide electronic alerts at key stages.



Appendices

Appendix A: Types of applications and permissions

Full planning permission

Normally required if you wish to make a change in the use of land or buildings and or you wish to carry out works or operations including the erection of buildings/extensions.

It may also be required if development has been carried out without permission and an application is being made to regularise the position.

Outline planning permission

Applications for outline planning permission seek to establish whether the scale and nature of a proposed development would be acceptable to the local planning authority, before a fully detailed proposal is put forward.

This type of planning application allows fewer details about the proposal to be submitted. Once outline permission has been granted, you will need to ask for approval of the details (“reserved matters”) before work can start. These details will be the subject of a “reserved matters” application at a later stage.

An application for outline planning permission is normally only appropriate in the case of larger or more complex developments. It is not normally appropriate in the case of householder applications, developments in conservation areas, or changes in the use of premises.

Approval of Reserved Matters

Where outline permission has been granted, you may, within three years of the outline approval, make an application for the outstanding reserved matters, i.e. the information excluded from the initial outline planning application. This will typically include information about the layout, access, scale and appearance of the development. In October 2009, the Government introduced an application to extend the time limits for planning permission, including outline permissions.

Conservation area consent

Is required if you wish to demolish a building or structure within a conservation area.

Listed building consent

Normally required when you wish to carry out works to a listed building, this would include internal works to the building.

Advertisement consent

This is required if you wish to display advertisement including many types of shop fascia or signage. For more detailed guidance please check the central government leaflet about outdoor adverts and signs. www.gov.uk/government/advertisingguide

Tree work consent

Usually required to prune or fell a tree which is either within a conservation area or protected by a Tree Preservation Order (TPO). For more information on trees or tree applications, please telephone 020 8545 3815.

Certificate of Lawfulness for a Proposed Use or Development

Appropriate where you wish to seek formal confirmation from the council that proposed developments (including householder developments) fall within permitted development allowances or that a proposed use would constitute a lawful use of the premises and would not require planning permission.

Certificate of Lawfulness for an Existing Use or Development

Appropriate where you wish to regularise an existing use or development and can demonstrate that the use has been in operation for ten years, or a development (including householder extensions) in place for four years.

Appendix B: Duty to co-operate and Specific Consultees

Duty to Cooperate

The Town and Country Planning (Local Planning) (England) Regulations 2012 define the following bodies as 'specific consultation bodies':

The Environment Agency
Historic England
Natural England
The Mayor of London and the offices held by the Mayor
The Civil Aviation Authority
Clinical Commissioning Group (CCG)
NHS
The Office of Rail Regulation
Transport for London

The Coal Authority;
Network Rail Infrastructure Limited
Any person to whom the electronic communications code applies by virtue of a direction given under Section 106 (3) (a) of the Communications Act 2003;
Any person who owns or controls electronic communications apparatus situated in any part of the area of the local authority;
Metropolitan Police Service

Other public bodies, in addition to local planning authorities, are subject to the duty to cooperate by being prescribed in the [Town and Country Planning \(Local Planning\) \(England\) Regulations 2012](#) as amended by the [National Treatment Agency \(Abolition\) and the Health and Social Care Act 2012 \(Consequential, Transitional and Saving Provisions\) Order 2013](#)

Specific consultation bodies¹²

¹² The Town and Country Planning (Local Planning) (England) Regulations 2012

Neighbouring boroughs
Mayor of London and Mayoral offices
The Coal Authority
The Environment Agency
Historic England (Historic Buildings and Monuments Commission for England)
Marine Management Organisation
Natural England
Secretary of State for Transport
Transport for London
Network Rail Infrastructure Limited
Highways England
NHS London / Clinical Commissioning Groups and Public Health departments in councils)
Utilities Companies (telecommunications, gas and electric companies operating in the Merton
Thames Water

General Consultation Bodies

The Government has defined through the Town and Country Planning (Local Planning) (England) Regulations 2012, General Consultation Bodies as voluntary bodies some or all of whose activities benefit any part of the authority's area and other bodies who represent, in the authority's area, the interests of different racial, ethnic or national groups, different religious groups, disabled persons, and business interests.

Merton's Local Plan database contains over 2,000 groups, organisations, companies and individuals from the following categories:

- Non-adjoining Local Planning Authorities
- Advice and information groups
- Architects
- Black and Minority Ethnic Groups
- Business groups/organisations
- Civil Groups/organisations
- Conservation and heritage groups
- Developers
- Disability groups
- Education
- Elderly groups
- Emergency Services
- Employment/business groups/organisations
- Environmental groups
- Faith and worship groups
- Equality groups and forums
- Health organisations including NHS, CCG and Public Health
- House builders
- Landowners
- Merton Youth Parliament
- Planning consultants
- Police and other emergency services
- Political parties
- Regeneration groups and partnerships
- Registered social landlords
- Resident's groups/organisations
- Sport and leisure groups
- Statutory consultees
- Transport groups
- Utility companies
- Ward Councillors
- Youth Groups

To be added to the Local Plan database and be informed about the progress of planning policy documents and help shape them.

Please send your details to:

Email: future.merton@merton.gov.uk or

Post: Future Merton, Merton Civic Centre,
London Road, Morden SM4 5DX

Appendix C: Consultees for Neighbourhood Development Plans

In accordance with the Neighbourhood Planning Regulations 2012, the consultation bodies that the Neighbourhood Forum and Council have to consult at the relevant consultation stages are the:

- Mayor of London (and offices held by the Mayor of London)
- A relevant authority, any part of whose area is in or adjoins the area of the local authority, such as:
 - local planning authority
 - a county council
 - a parish council
 - a police authority
- Coal Authority
- Homes and Communities Agency (responsibilities now fall under the GLA)
- Natural England
- Environment Agency
- Historic England
- Network Rail Infrastructure Limited
- Highways England (outside London)
- Any person to whom the electronic communications code applies, or who owns or controls electronic communications apparatus situated in any part of the area of the LPA
- Where it exercises functions in any part of the neighbourhood area:
 - Clinical Commissioning Group (CCG)
 - Licensee under the Electricity Act 1989
 - Licensee of the Gas Act 1986
 - sewerage undertaker
 - water undertaker
- Voluntary bodies whose activities benefit all or part of the neighbourhood area
- Bodies representing the interests of different racial, ethnic or national groups in the neighbourhood area
- Bodies representing the interests of different religious groups in the neighbourhood area
- Bodies representing the interests of disabled people in the neighbourhood area

The Neighbourhood Forum is required to submit a Consultation Statement to the council formally submitting the Neighbourhood Development Plan. This statement must detail the bodies consulted in the preparation stage.

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Consultation statement on the draft
Statement of Community Involvement
(SCI) public engagement (28th October -
8th December 2019)

1. Introduction

- 1.1 On the 15 October 2019 [Cabinet](#) that Merton's 2006 SCI be revised and approved a six week consultation on the draft Statement of Community Involvement. The consultation started on 28th October and closed on the 8th December 2019. We received a total of 31 response of which 21 were received via our online survey.

2. Engagement methods

- 1.2 This section looks at the consultation and how the Council raised awareness of the consultation.

Raise awareness

- 1.3 The Council notified all the names of individuals, groups and organisations held on the Local Plan database¹. These are made up of local residents, businesses, faith, environmental, civil and community groups. The names on this database are person who have indicated they wish to be consulted on planning development documents in accordance with General Data Protection Regulation (GDPR).
- 1.4 During the consultation the Council ran consultation awareness messages on Merton Council social media platforms such as Facebook and Twitter. In addition the Council placed adverts on Facebook. Residents/business who are signed up to the council's iConsult 'get involved' consultation platform also received notification of the consultation. The database has over 2000+ subscribers.

Building understanding, consult and communicate

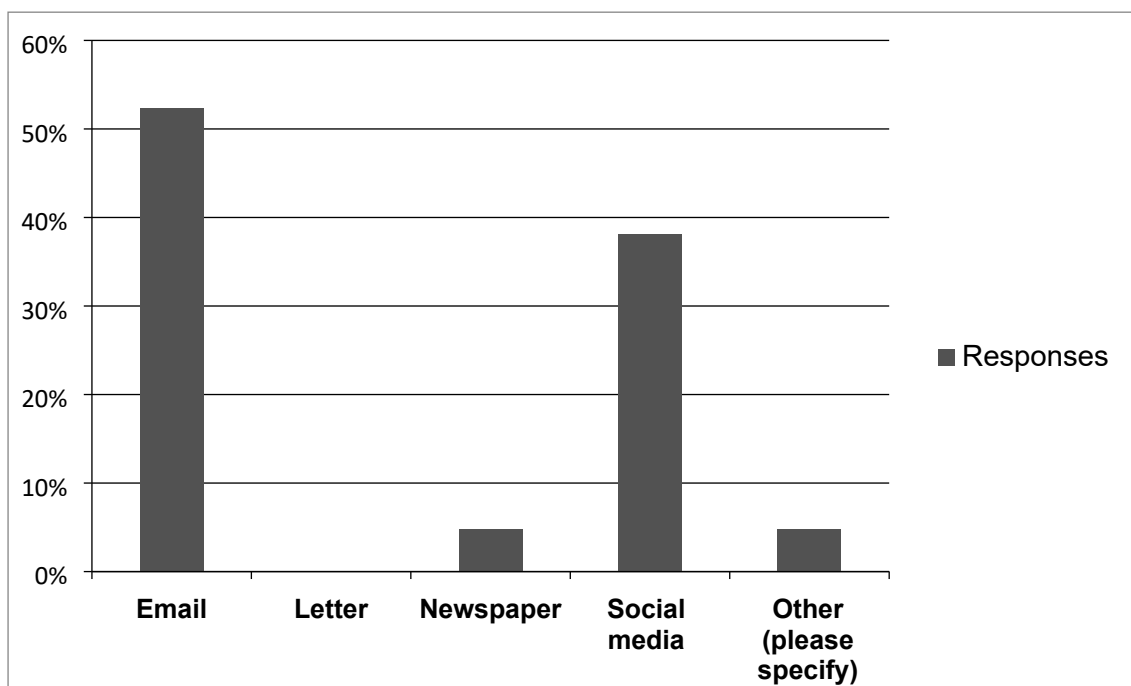
- 1.5 We had a dedicated [webpage for the draft SCI document and consultation](#). Officers were available to attend community groups/association meeting and forums. However, we did not receive any invitations or request to address such meetings.
- 1.6 Merton Councillors were briefed by way of Merton's democratic process of the SCI, its role within the context of planning and its importance to our local residents and local business. A dedicated Council officer was available to answer any questions on the document and consultation.

3. The online survey analysis of responses

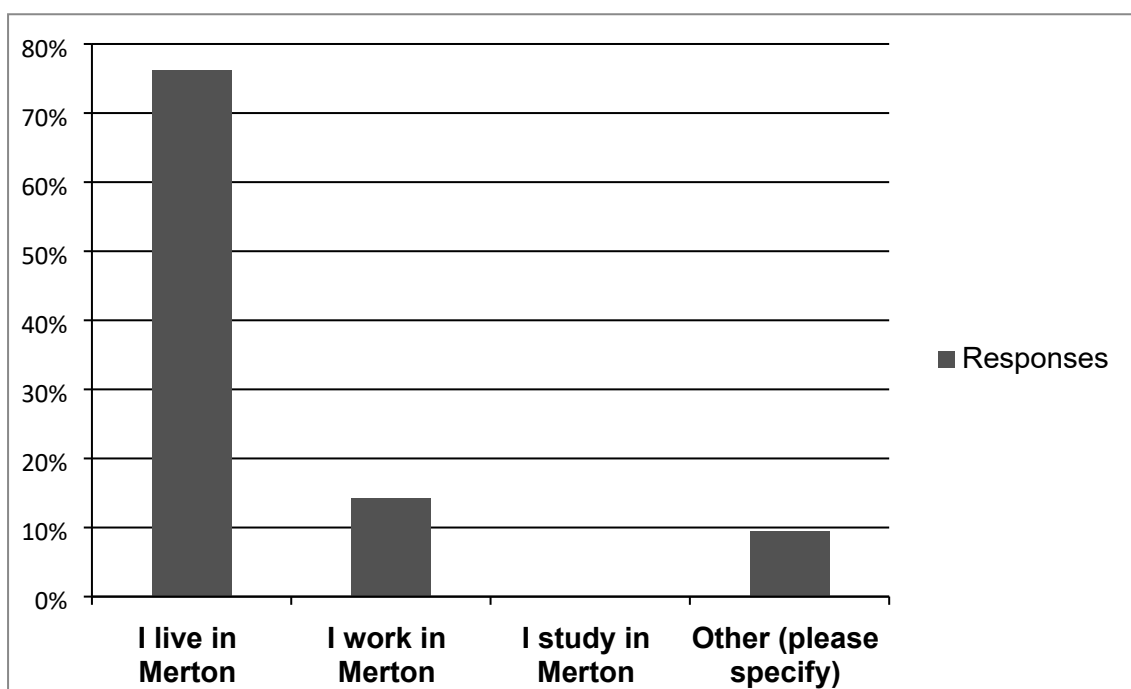
- 1.7 The following section looks at the 21 online response via Survey Monkey portal. We used this survey portal as it is easy to use on a number of platforms such as mobile, tablets and it is a trusted portal.

¹ If you'd like to be added to our Local Plan consultation database.
Email: future.merton@merton.gov.uk

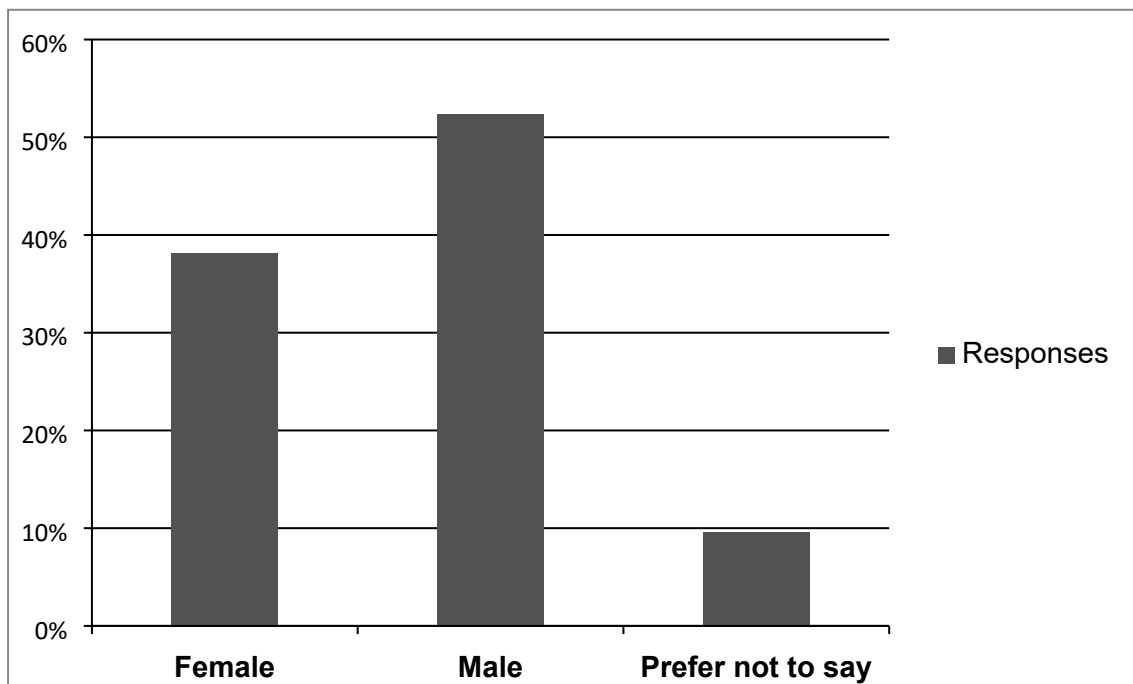
Q1. How did you hear about the consultation?



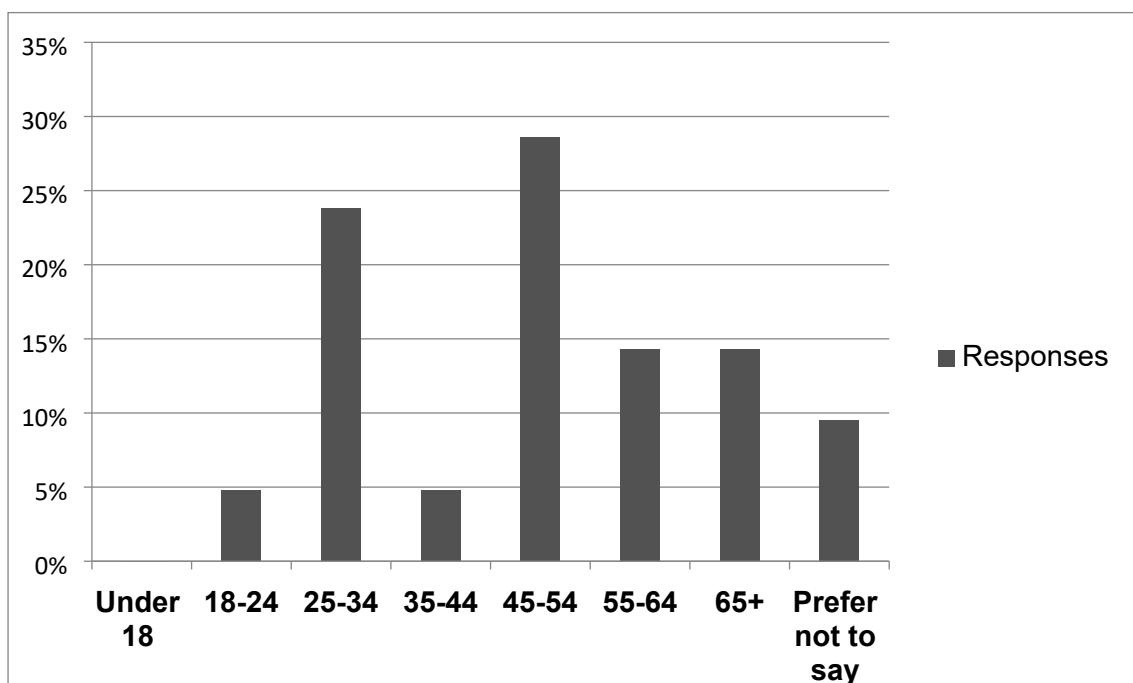
Q2. What is your relationship to the borough of Merton?



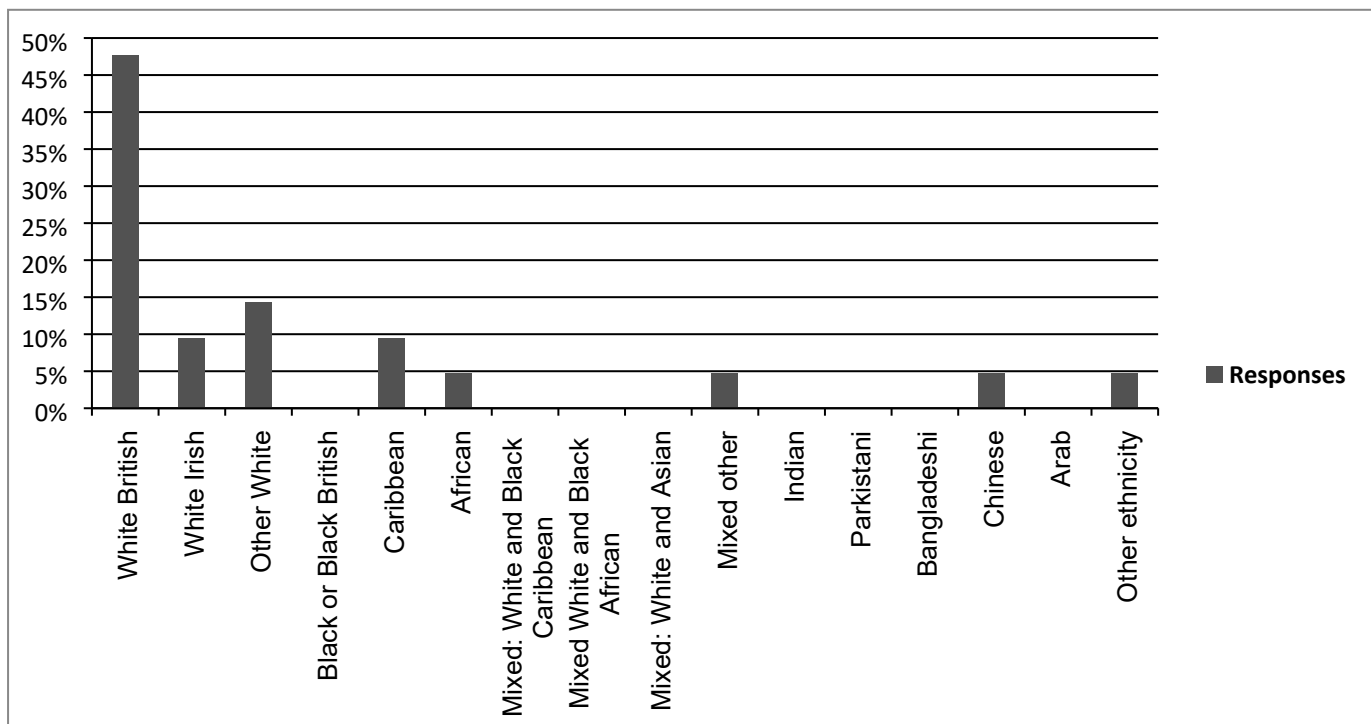
Q3. What is your gender?



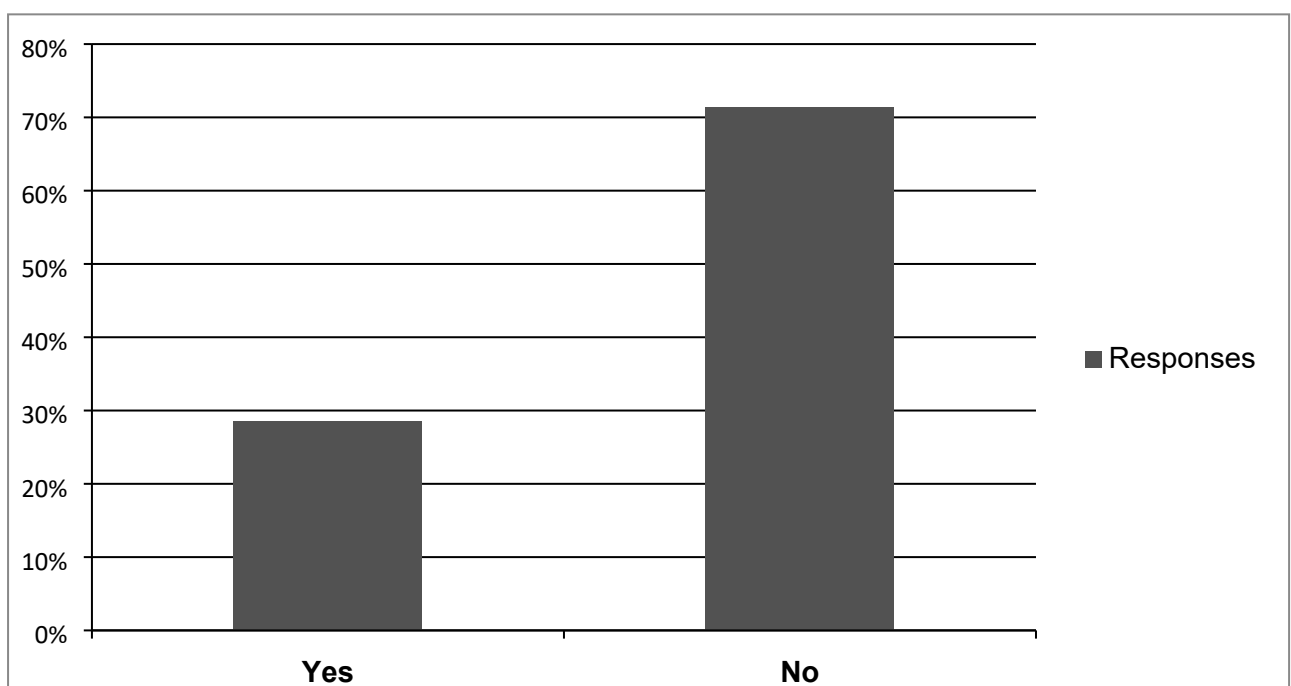
Q4. What is your age group?



Q5. How do you identify yourself?



Q6. Do you consider that you have a disability?



**Question 7- 15 comments have been taken directly from Survey Monkey online survey as submitted – with no alterations or spell check changes.*

Q7: Do you have any comments on section 4: Accessible consultations and engagement?

- 18 people responded to this question
- The majority replied “No”
- 3 people skipped the question

Comment received	Council response and action if required.
<i>Lack of engagement and consultation</i>	<p>The Council consulted with local communities, business and organisations using a number of methods such as letters, emails to circa 900 recipients. Social media messages ran on our Facebook and Twitter pages and an ads were placed on Facebook.</p> <p>Social media breakdown: Reach: The 18,492 people saw the ad at least once. <i>Reach is different to impressions, which may include multiple views</i></p> <p>Impressions: The 26,412 the number of times the ads were on screen</p>
<i>What's the point, Merton does what it wants, doesn't listen & delivers as little as possible</i>	The Council adheres to planning legislations in relation to planning matters.
<i>The room proposed for the consultation should be sufficiently large enough to house the anticipated numbers of attendees.</i>	The Council welcome this comment. Suggested text has been taken forward in the final SCI.
<i>7.13 “all changes is”. Should read “all changes are” 7.13 figure 4 should have “inform by email” 7.19 should read “ a.....plan becomes”</i>	The Council welcome this comment and the appropriate changes have been made to the SCI.
<i>Generally agree, but unless otherwise commanded by national legislation I see no need to for translation documentation into anything other than a recognised language of the British Isles (including BSL and Braille). I would like to see in consultations the submissions of representation not only in writing, but that facilities for the recording by</i>	The Council welcome the support. The Council will make reasonable adjustment in accordance with the Equality Act 2010.

audio, stenography or secretarial shorthand for verbatim or accurately edited notes be provided.

Q8. Do you have any comments on Section 5: Our approach to involving the local community in planning?

- 19 people responded to this question
- A number of “No” responses were received
- 2 people skipped the question

Comment received	Council response
There is virtually no involvement of the local community. Locals views not taken into account	The Council works hard in engaging local communities and welcome views from communities. All views received are considered when preparing Local Plans and making planning decisions.
We are concerned that representations will not be available to view on the planning website. This is a backward step, creates a barrier to transparency. We would at very least hope that comments from non-statutory bodies such as Residents associations would be uploaded for residents to see. However, it seems only right that anyone should be able to see who has written and what they comments are, without having to add to the workload of the planning department by visiting the office to read the file. If GDPR is the reason for this change, it has been possible to upload letters and emails while redacting personal details. This seems a reasonable expectation.	Please see part b “The council’s response to planning applications” (para 3.12) below.
Yes. 5.1 states ‘we wish to ensure local communities are better informed about planning, its role...’ etc. By failing to publish submitted comments on planning applications on the Council website, you are not adhering to this aim. People who work, have children, or have mobility issues find it hard to make time or physically make the journey to the Civic Centre to look at hard copies of application comments - possibly on a repeated basis for a controversial application. This reduces democratic access to and transparency on planning matters and reduces information available to members of the public. This is backed up by point 3 in this section which states a Council intention to use electronic methods of consultation ‘including	Please see part b “The council’s response to planning applications” (para 3.12) below.

email and the council's website to make involvement easier, quicker and more cost effective'. Allowing residents to read and consider comments on planning applications via the planning portal is clearly easier, quicker and more cost effective than having to make repeated appointments with an officer to view comments which have - as this document states - had personal details redacted anyway.	
I live on Kingston Road. I received no notice of a consultation for the works at Dundonald Church. This is going to have a big impact on me in terms of noise, on the very first weekend we were woken at 8am on a Saturday. I later found out this was approved by the Council ... I had no chance to object or submit. This needs to be a pro-active outreach by the Council and the developers, you should come to US as local residents and not hide away consultations.	<p>Your comments are noted however, not within the remit of the SCI consultation or document.</p> <p>Comments have been forwarded to our colleagues in the Development Management team.</p>
The layout of the document is not engaging and of a professional standard.	The consultation document and will be reviewed prior adoption.
I have started commenting on planning applications a great deal and I would like that my representations are responded to so that I can be sure they have been taken into account. I would like my representations to be made public on the internet so that my view can be communicated to the applicant and anyone else who is interested (despite data protection issues). Similarly, I would like to view other peoples' representations. This is democratic and informative. It would be helpful to have the applicants contact details published on the planning applications, or for a link to be provided to ensure that comments can be passed to these people.	Please see part b "The council's response to planning applications" (para 3.12) below.
Use different forms of communication to reach all sections of society, some do not use computers or mobile devices with social media	The Council carries out planning consultations in accordance with planning regulations and uses various communication methods for each consultation. We monitor and review methods used and were possible make changes depending on resources, the subject/topic of consultation and legislation.
Seek views at the earliest possible stages and throughout the planning process. - Indeed this is not happening. For amendments these are not publicised sufficiently even if considered minor/immaterial. Additionally submissions should be fact checked and advertising huff and misleading and inaccurate statements in	The SCI requires applicants to engage with local communities as early as possible, before submitting planning application. The Council also request that major sites are submitted to Council's Design Review Panel. This is to ensure that the views of local people and design professionals are

<p>planning applications be directed to be removed from bundles submitted to officers and councillors to avoid bias language. Earliest opportunity includes a provision for a non-binding representation method at design review stage where relevant informed information can be submitted over and above the applicants submission and supposedly independent and professional review thereof. Where applications involve public realm or residences in the occupation of persons other than the land-owner there needs to be advertising that such items as may be in need of a planning involvement should be brought to the nearby public and the occupiers of land at the earliest point including any informal discussions and the basis for those discussions.</p>	<p>taken into account as soon as possible in developing the scheme.</p> <p>The Council carries out planning application consultations in accordance with planning regulations.</p> <p>In accordance with the National Planning policy Framework (NPPF), we are required to only request supporting information that is relevant, necessary and material to the application in question.</p>
<p>Other than 'Promote the use of electronic methods of consultation including email and the council's website to make involvement easier, quicker and more cost effective', all other bullet points are too vague.</p>	<p>The Council welcomes your comments.</p>
<p>Yes - the Morden development has had painfully little transparency and people in the area making major financial decisions about housing with no view of how long development is going to take or the phasing. Newsletter have not been released for over 12 months which is not a newsletter.</p>	<p>The proposed regeneration will be delivered through a partnership between the council, TfL and a development partner and will include new housing, retail and business space, expanded transport infrastructure and significantly improved public realm.</p> <p>In November 2019, our Cabinet considered a report and made recommendations on the next stage of the process, which will be the start of the procurement process to select a development partner.</p> <p>This report can be viewed on the council's webpage here. The report includes information on the timeline for the project.</p> <p>A major regeneration of this scale is likely to be phased over a number of years and will take some time to develop and deliver. The vision and objectives for the regeneration have been developed through engagement with the local community and further consultation will be undertaken as we proceed through the next stage of the project.</p> <p>We take on board your comment regarding</p>

	the newsletter – we aim to produce the newsletter on a regular bases in the future.
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Q9. Do you have any comments on Section 7: Statutory development planning documents?

- 17 people responded to this question
- A number of “No” responses were received
- 4 people skipped the question

Comment received	Council response and action if required.
Documents should be engaging, in plain English and well-illustrated.	Your comments have been welcomed and noted. The Council agrees that all documents must be engaging, wording must use the plain English practice and illustrated, where possible.
Make use of 'live' documents to keep up to date with policy and guidance, instead of documents becoming out of date shortly above being published	<p>Note relevant to the SCI. Due to the nature of some development planning documents this not always possible, as they can be 'planning forward' documents over a set period for example is the Local Plan which, is a 15 year plan for the borough.</p> <p>The Council monitors and reviews our development planning documents and when statutory required to we will either update and/or produce new planning development documents, should planning legislation or planning policy requires us to do so.</p>
Do we have a Neighbourhood Forum and, if not, should we have one?	The Council has 5 Neighbourhood Forums. This information and webpage links of forums has been added to the SCI.
There is a problem in that the legal 'Soundness' of a plan may not necessary be the best plan for the or from a range of alternatives, reasons for deciding why individual elements of a plan are 'sound' should be clearly given. When there is an area of opportunity where generally there has been no previoud development the rules for new development are valid. Where there is a change in the layout, density or similar where	Your comments are welcomed and noted. Not relevant to the SCI.

<p>there is existing development the interests of those in occupation of that land, including the immediate surroundings of that land, need better protection, involvement and weight in dealing with that proposed development , particularly in respect of current Human Rights Act interests in Land and the present legal interpretation frameworks for that Act which go beyond protections in the "Town and Country Planning (Local Planning) Regulations 2012" which are deficient in reference to The Human Rights Act 1998 and Equalities Act 2010 notwithstanding the later date of the Regulations the earlier legislation takes judicial preference</p>	
<p>It is unclear other than the three estates listed in the Estate Local Plan 2018, where will the other regeneration take place. It will be useful to attach the links to all available documents for the community to see. It will also be useful to have one web page where all the updates, documents, schedule for events will be stored so we don't need to go to sign up to all the facebook, email, etc to get all the information.</p>	<p>Not relevant to the SCI.</p> <p>Future development and regeneration sites are outlined in the Local Plan, known as Site Allocations. The Council is currently producing a new Local Plan and will identify a number of sites for future development in Merton. The current site allocation are detailed in the Site and Policies Plan.</p> <p>All our development planning document can be viewed via our website here</p> <p>All Council wide consultations including development planning consultations can be viewed here</p>
<p>Current planning policy being used is out of date eg, the Mayor's Supplementary Planning Guidance is dated 2014. The Core Planning Strategy is dated 2011. #the new Local Plan will not be in place until 2021. Can you accelerate implementation of policies that support biodiversity in the light of more recent guidance: Mayor's draft London Plan, Policy G6, also the 2019 NPPF and NPPG: https://www.gov.uk/guidance/natural-environment https://www.gov.uk/government/news/protect-birds-when-building-says-james-brokenshire Biodiversity and access to nature:</p>	<p>Not relevant to the SCI. The Council monitors and reviews all planning documents and will either update, amend or produce new documents if required; for example if there are changes to planning legislation and/or policies (national and regional).</p> <p>An example of this is our Local Plan, we are currently producing a new Local Plan for Merton. In line with the soon to be adopted London Plan. Our Local Plan is required to be in conformity with the London Plan and the National Planning Policy Framework.</p> <p>Local Plans are required to have regard to</p>

	the supporting documents such as the national Planning Policy Guidance (supports the NPPF) and the Mayor's Supplementary Guidance (SPG – supports the London Plan). For example is the Mayor's Environment Strategy , which also covers biodiversity.
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Q10. Do you have any comments on Section 8: Development management?

18 people responded to this question

- A number of "No" responses were received
- 3 people skipped the question

Comment received	Council response and action if, required.
Yes. In point 8.13 it is stated that Merton Council's website is "the key resource for finding out information about and commenting on planning applications". This is now clearly untrue since comments on applications are no longer posted online. Point 8.29 states that personal details on all comments will be removed. If this is the case, why not then make those comments accessible online? It is a better democratic solution to allow people to browse information online at home rather than forcing them to visit the Civic Centre and browse comments there. Failing to provide this information online creates accessibility and inclusivity problems and reduces community involvement.	Please see part b "The council's response to planning applications" (para 3.12) below.
Can you ensure that all representations are referred to by the planning officers in their reports and correspondence with the applicants, so that advice and information can be communicated to the applicants. Can you publicise options for enhancements for biodiversity which are not necessarily mandatory, to the applicants. Applicants may adopt biodiversity measure within their plans once they know about features which are available. This would result in gains for biodiversity.	Please see part b "The council's response to planning applications" (para 3.12) below. We welcome you comment on biodiversity. In accordance with NPPF, planning policies and decisions 'should contribute to and enhance the natural and local environment'.
During the optional pre-application stage encourage engagement with the consultation	Amendments made to Figure 6 (circa paragraph 9.4) to include this

bodies as well as the local community.	
Better enforcement at early stage of unauthorised development. Better enforcement at constuction stage and sign off of conditions to actually confirm that constuction- particular to waste handling functions during and from occupation are compliant and that transport plans are adhered to (cycle storage and similar).	Although these comments are not relevant to the SCI, these comments have been forwarded to our colleagues in the Development Management team.
In 8.13 is there supposed to be a link to the planning permission website page? If so it's not working.	The Link has been checked (now paragraph 9.3).
Yes. Section 8.16 outlines the types of application there is no statutory requirement to consult on. However, the Council does already routinely consult on many of these types of application. I have copied your wording below and added the actual application numbers of applications in the recent past as examples. "Certificates of lawfulness of proposed use or development - eg 19/P0339; 14/P1527 Certificates of lawfulness of existing use or development Internal alterations only to a Grade II listed building ♣ Advertisements - eg 19/P2709, 18/P4386 amongst many others ♣ Approval of details (exceptions are details for conservation area consents and external works to any listed building) Revisions to planning applications once valid (eg 19/P3408) Non-material amendments (eg 19/P3408) ♣ Discharge of conditions (eg 19/P1626) The above are just a handful of examples - there are many others on the Council's planning portal. This transparency is extremely helpful to keep track of what's going on in the area and the impact it might have on Interested Parties. In addition, in the table in Figure 7 under the column headed 'Type of application' - the wording in some rows has been cut off making it very difficult to reconcile in some cases what the Council will consult on (and how) with what it says there's no statutory obligation to consult on. This whole section needs to be reconsidered and made much clearer in order for the public to form a view.	Amendment made (now paragraph 9.16).
Yes. Section 8.14 says that consultations on planning applications will last at least 21 days - my experience at the moment is that they	Amendments made see section 9.16 in the SCI.

<p>typically last between 4 and 6 weeks. 21 days is far too short for most types of application. Section 8.29 - all representations by the general public should be displayed on your website. This always used to be the case but the Council has recently taken to not doing this citing privacy concerns and the workload of having to remove personal details from emails. The Council needs to find a way around this because not displaying all reps on your website erodes the transparency of the system. Thirdly, an ancillary issue - the Council should ensure that all documents that are uploaded onto your website in connection with applications are carefully dated - this should happen all of the time but unfortunately doesn't. This makes it very difficult for Interested Parties to follow any changes to applications.</p>	<p>Please see part b "The council's response to planning applications" (para 3.12) below.</p>
<p>Within morden - what development?</p>	<p>Not relevant to the SCI. The proposed regeneration will be delivered through a partnership between the council, TfL and a development partner and will include new housing, retail and business space, expanded transport infrastructure and significantly improved public realm.</p> <p>In November 2019, our Cabinet considered a report and made recommendations on the next stage of the process, which will be the start of the procurement process to select a development partner.</p> <p>This report can be viewed on the council's webpage here. The report includes information on the timeline for the project.</p> <p>A major regeneration of this scale is likely to be phased over a number of years and will take some time to develop and deliver. The vision and objectives for the regeneration have been developed through engagement with the local community and further consultation will be undertaken as we proceed through the next stage of the project.</p>

Q11. Do you have any comments on Section 10: Principles of engagement?

- 15 people responded to this question
- The majority respond with “No”.
- 6 people skipped the question

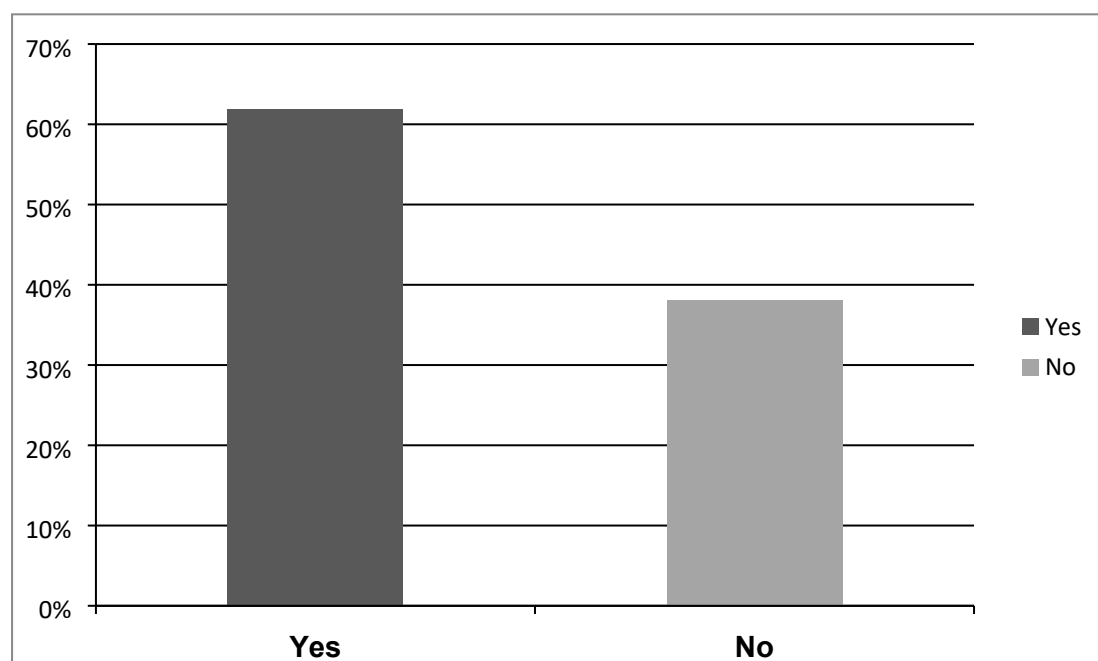
Comment received	Council response and action required/taken.
Can you ask planning consultants and other consultation presenters to inform interested attendees of who to contact to make comments and how to contact developers, architects etc. Can you post information on upcoming consultations/presentations at libraries in prominent locations. It is difficult to find out what is going on locally without a regular local newspaper.	<p>Comments are welcomed and noted.</p> <p>Information on the Merton ‘Get Involved’ database has been added to the SCI. This provide residents with more information on how to take part in all Merton Council consultations. Residents can register for consultation alerts.</p> <p>Amendment have been made to Figure 6, of the SCI to encourage applicants to advertise pre-application meetings as widely as possible using a variety of methods.</p>
Will be good to get a definition of the plan for wider morden town centre area. At the moment the local 2020 plan states it will be 'incremental redevelopment and change in the Wider Morden Town Centre Area when landowners are ready to invest in their properties.' Does this mean it will be down to independent private investors to develop the land. Also will there be a plan for social housing?	<p>Not relevant to the SCI. Merton new Local Plan sets out the council’s vision and objectives for the whole borough, including the wider Morden area and future housing development (types and tenure) as well as other topics. There will be another round of consultation on the new Local Plan in Autumn 2020.</p>

Q12. Do you have any other comments on the SCI?

- 16 people responded to this question
- The majority respond with "No".
- 5 people skipped the question

Comment received	Council response and action taken if required.
Lots of people can manage emails, libraries and leaflets, but not many older people bother with twitter and facebook. It seems to be believed that twitter and facebook are mainstream methods of communication.	The Council monitors the consultation methods used for each development planning documents and will draw upon other methods such as workshops and exhibitions, where appropriate. This will depend on topic of the consultation and resources (staffing, costs).
The survey needs to be better linked to the document. I have tried to make my comments in the right section but it was difficult	Your comments are welcomed and noted for future consultations.
Not enough clarity on the theme of the transformation, type of housing and space required to achieve 2000 units, criteria of selection of housing to be demolished to increase housing density, and plans on the wider morden town centre area including the mosque.	Not relevant to the SCI. Merton new Local Plan sets out the council's vision and objectives for the whole borough, including the wider Morden area and future housing development (types and tenure) as well as other topics. There will be another round of consultation on the new Local Plan in Autumn 2020 and these comments are being forwarded to the Local Plan officers.

Q13. Would you like to be contacted by Future Merton team in future about other future development planning policy documents?



This next section looks at the response received by either letter or email during the consultation

Consultee ref number and or ID number	Comments received	Council response and action taken if required.
001 SCI 2019/Wimbledon Society	Old style 'public consultation' needs to change to public involvement (10.4), and the Council's use of this term is welcomed. Consultation implies that a scheme design has already been decided on, where involvement implies an earlier and more creative role for the public.	Amendments have been made to the SCI, where appropriate.
	The present system still fails to reflect the open-ness and involvement that the public, and indeed the Government (and the Council see 8.7 & 8.9?) now seeks. Too often, the relationship between Councils/developers and the public has been described as paternalistic, and top-down. The public now needs to be seen	We agree and believe early public involvement is essential. Amendments to the SCI

	<p>by the Council and the developer as a contributing partner in the creation and evolution of projects. A fundamental change would see the public being made aware (on day one), that a scheme is being prepared for a site. It would then be able to contribute (see Section 10) to the creation of new development from the start.</p> <p>The “fait accompli” approach, where a developer presents of a set of finished drawings to the public at a late stage in the project, and asks whether they ‘like them’, is an outdated model. Early public and creative involvement should be the norm, and seen as a resource, not an obstacle</p>	
	<p>The Government (HMG) and Civic Voice and others are now encouraging this early creative approach. The Public intimately knows its town, with its history and character and people, and far better than any developer. This is valuable material that can help outsiders, helping to create designs that work locally, with pre-application advice (8.6).</p> <p>Developers deal with sites: they have no need to know about the planning of towns, it is not in their skill set.</p> <p>Once they have built and sold the new building to a pension fund, they disappear. The public, by contrast, lives with the result. Who has the greatest stake in the future of the town? And whose town is it anyway? So what specific changes should be considered?</p>	<p>Amendments to the SCI have been made to encourage developer to engage with local communities (now paragraph x)</p>
	<p>All pre - application meeting minutes and correspondence between developers and the Council officers should therefore</p>	<p>The Council does not automatically publicise details of pre-application discussions with potential developers until a</p>

	<p>be made public on a dedicated Council website on day one. If developers do not agree to this open and collaborative approach (usually quoting supposed 'confidentiality'), then the Council should not facilitate pre-application meetings (8.5).</p>	<p>planning application has been submitted. At application stage the pre-application report will be placed on the case file on the website.</p>
	<p>So-called viability statements should be made publicly available at the application stage to allow proper public examination. Currently there is no public confidence that these secret statements are other than excuses to avoid planning policy requirements. And concealing such 'material planning considerations' from public scrutiny cannot be right.</p> <p>Separately, the Council should press HMG to forthwith exclude so-called 'viability' from the planning system. Such calculations have their value but should stay inside developers' offices.</p>	<p>Your comments are welcomed. In regard to viability statements the Council must adhere to the requirements of the NPPF and other statutory requirements.</p>
002 SCI 2019/ Merton Conservative Group	<p><i>Online Access to Planning Representations:</i> The Council's position on not allowing Merton residents to have online access to planning applications' local representations is neither acceptable nor tenable; the Council's planning officer states that residents wishing to view objections must now <i>travel across</i> the Borough and view them in person at the Civic Centre..... The Conservative Group is happy to support this by engaging directly with the Information Commissioner to ensure the ICO understands the unintended effect of their potential sanctions and avoids any overzealous approach with regard to local authorities.</p>	<p>Please see part b "The council's response to planning applications" (para 3.12) below.</p>

	<p>The position of the Council at paragraph 8.29 is therefore not acceptable.</p>	
	<p>New software functionality for planning alerts:....Group advises the IT and Planning directors to review and implement as soon as possible a new planning alerts functionality to help residents and local community groups.</p> <p>Residents and community groups would be able to enter their own postcode (or another postcode in the Borough) into an online portal and then receive automated alerts of applications, decisions and appeals with a chosen radius.</p> <p>We understand the Conservative group in Wandsworth has implemented such a system and we advise Merton to look at bringing in the same helpful system for our Borough residents as soon as possible, in order to better service our residents and improve community involvement.</p>	<p>Please see part b “The council’s response to planning applications” (para 3.12) below.</p>
	<p>Procedure at the PAC: The Council must recognise that having Residents at the PAC is of the highest importance through our planning processes. The work of Planning Officers in supporting such processes is vital. The support given at the PAC must be objective, impartial and consistent. Where residents and committee members come to a decision regarding an application, the planning officers’ help in ensuring the recording of a suitable rationale in the correct technical terms is valued and needed.</p>	<p>No amendments proposed</p>

	<p>Use of online communications and social media: The Conservative group very much supports the use of digital interfaces and social media to support planning processes and consultations, in particular with regard to changes in Borough plans and policies.</p>	<p>No amendments proposed</p>
	<p>Communication with ward councillors: To better facilitate the opportunity for engagement with community, planning officers should reach out to ward councillors to inform them of more significant applications in their wards at the earliest opportunity.</p> <p>Planning officers should encourage applicants to do this as well, ideally at the pre application stage, but planning officers must also take the opportunity to proactively notify ward councillors to help seek the views of the local community and improve involvement.</p>	<p>We note your comments and have forward them to Development Management colleagues.</p>
	<p>Enforcement of Conditions: The trust and confidence of the local community is sometimes challenged by applicants not complying with planning conditions during and post build. To facilitate a better level of trust from the community and lessen the need for more challenging community engagement post build, the Council's planning department would benefit from applying a more rigorous approach to enforcement of conditions immediately post-build. Where conditions require</p>	<p>Not relevant to the SCI.</p> <p>Your comments have been forwarded to our colleagues in the enforcement team.</p>

	plantings, trees, beds and shrubs, such conditions and final inspections must become a priority for the Council's enforcement policy in order to assist better air quality outcomes and improved amenity and urban greening.	
	Planning notices: A review of the Council's processes to serve the required notices on local residents and interested parties who may have responded to applications, must be undertaken. Too many residents and affected groups do not receive the required notices and letters, compromising stakeholder trust and confidence and creating inefficiency as planning periods have to be recommenced as notices are served afresh.	Your comments have been forwarded to the Development Management team.
	Design Review Panel: The Design Review Panel needs to become more transparent and accountable in its work such that residents achieve a greater degree of confidence in the work it is doing to achieve better quality designs for new developments. The ability for the community and residents to attend or monitor the DRP should be clarified, along with the Panel's constitution.	Please see part a "The Council's response to Design Review Panel" (para 3.4) below
003SCI2019/Historic England	We support the general aims and approach of the draft SCI.	We welcome your support.

<p>004SCI2019/Merton Liberal Democrats</p>	<p>The benefits of involving the local community: We are pleased to see the Council acknowledge the importance of involving the local community. In particular, the point you make that the Council is <i>“Benefiting from the detailed local knowledge and perspective of local people and community organisations/groups.”</i> An accessible, easy and low cost way of assisting people to do this is by having representations made available on the Council’s website. This allows residents and councillors to have a rounded view and as broad perspective on an application as possible, and to contextualise their own representations.</p>	<p>We welcome you support.</p>
	<p>Accessible consultations and engagement: We agree that “Plain English” should be used for communications about planning, and would request that documents such as standard letters inviting people to PAC etc be included within this.</p>	<p>Your comments have been forwarded to the Development Management team.</p>
	<p>Our approach to involving the local community in planning We are pleased that the Council wants to “Promote the use of electronic methods of consultation including email and the Council’s website to make involvement easier, quicker and more cost effective”, but note that this is not promoted if access to planning representations is not part of this approach.</p>	<p>Please see part b “The council’s response to planning applications” (para 3.12) below.</p>
	<p>General Data Protection Regulation (GDPR) / 8. Consultation on Planning Applications / How to comment on a planning application: We note that the requirement to redact certain information from planning representations is set out in the Planning department privacy notice and that that privacy notice</p>	<p>Please see part b “The council’s response to planning applications” (para 3.12) below.</p>

	<p>states that “Sometimes we might decide it is necessary, justified and lawful to disclose data that appears in the list above. In these circumstances we will let you know of our intention before we publish anything.”</p> <p>Notwithstanding the Council’s position that publishing planning representations online risks disclosure of personal information that should be redacted under the Council’s privacy notice, this is also a risk when hard copies of representations are made available to residents as per para 8.29 (and indeed it has been suggested to us by officers that representations may be emailed out to residents). The risk of disclosure is not an inherent risk of the information being made available online, but a risk of human error – stopping online publication does not reduce the risk of human error.</p> <p>Para 8.29 asserts that “All personal details will be removed by the Council in accordance with General Data Protection Regulations”. This seems an unclear comment as not all personal details are to be removed, simply those that are indicated under the privacy notice as to be redacted. Indeed, the privacy notice itself indicates that sometimes the Council will determine to publish information that would normally be redacted.</p> <p>We would ask that the Council seek formal legal (and possibly ICO) advice with interpreting the implications of GDPR and the 2018 Act in this area.</p>	
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	<p>Neighbourhood planning We believe that the Council should proactively work with local communities to create Neighbourhood Plans for local neighbourhoods to give people real control over the development in their area, by turning residents' views into planning rules. It should be an ambition for the Council for Neighbourhood plans to be developed and put in place.</p>	<p>Not relevant to the SCI.</p> <p>The Council works with communities who wish to develop a Neighbourhood Plan. It is local communities who decide whether they wish to have a neighbourhood plan for their area.</p>
	<p>Consultation on Planning Applications /How to comment on a planning application We would ask that further guidance could be given, and perhaps a protocol can be developed for planning case officers for how residents might input into potential planning conditions and the subject of s 106 agreements to mitigate the impact of developments.</p>	<p>No amendments proposed.</p>
<p>005 SCI2019/ Metropolitan Police Service (MPS)</p>	<p>We are pleased to see that the MPS has been recognised as a 'specific consultation body' and therefore are consulted with regards to the preparation of planning policy documents.the Metropolitan Police Service requests that they are also consulted on planning applications which are referred to the Mayor of London for consultation. This is to enable the following:</p> <ul style="list-style-type: none"> • Delivery of a Dedicated Ward Office (DWO): The MPS have identified the need for Dedicated Ward Office (DWO) accommodation in specific locations as part of their Estates Strategy. A DWO is a small room containing lockers and operational equipment and forms a 24/7 base of operation for 	<p>Not relevant to the SCI, however, your comments relating to S106 have been forwarded to the S105/CIL team.</p> <p>The Council engages and meets with the MPS as well as other statutory and will continue to do so.</p>

	<p>the MPS. Further information can be found in the enclosed package including a map showing areas with the greatest need.</p> <ul style="list-style-type: none"> • Inclusion within the Section 106: It is widely accepted and documented that policing infrastructure represents a legitimate item for inclusion within the S106. The MPS requests that they are also involved in these discussions. Relevant case law is enclosed in relation to the principle of developer contributions towards policing. 	
006SCI2019/Natural England	We are supportive of the principle of meaningful and early engagement of the general community, community organisations and statutory bodies in local planning matters, both in terms of shaping policy and participating in the process of determining planning applications.	We welcome your support.
007SCI2019/Merton Centre for Independent Living (Merton CIL)	<p>Accessible consultations and Engagement: Merton CIL recommends referring to Disabled people rather than 'those with disabilities'..... We would also suggest the document refer to accessible facilities, for example, an accessible toilet rather than a disabled toilet.</p> <p>We would recommend providing all documents electronically - this will often meet people's need to access documents in alternative formats. The reference to audio tape and even CDs sounds very out of date - some young people may not even know what an audio tape is.</p>	<p>Amendments have been made to the SCI (now paragraph 6.1)</p> <p>This section has been informed by the Government's guidance, Accessible communication formats and additional text has been added to the SCI reflecting the Government guidance.</p>
	Our approach to involving the local community in planning: We	Your comment is welcomed. Requirements relating to people

	<p>understand and recognise the growing importance of electronic involvement, particularly as it can make the process more accessible for many Disabled people. However, we believe that a balanced approach is needed to ensure the widest possible range of people is involved. This is reflected elsewhere in the document but may need to be stated here.</p>	<p>with disabilities are included in paragraph 6.1</p>
	<p>Statutory development of planning documents: We recommend that the Council explores approaches around co- production and co- design for all aspects of planning. The value of these approaches is gaining increasing recognition as giving a strong basis for community involvement. Co- production involves developing a set of principles for communities and public services to work together as equal partners.....We also recommend the Statement recognises that engagement with disabled-led organisations is preferred over those that are not led by Disabled people when working on disability issues.</p>	<p>No changes proposed.</p>
	<p>Targeted events: We welcome the recognition that targeted events may be needed with Disabled people and mental health service users (which should be expressed in these terms).</p>	<p>We welcome your support.</p>
	<p>Development management For point: we believe the Merton Design Panel would benefit from having a member who has technical expertise on disability access in architecture and design.</p>	<p>Please see part a “The Council’s response to Design Review Panel” (para 3.4) below</p>
	<p>For point 8.26 we recommend disability access should be a material consideration, if this is possible.</p>	<p>Not relevant to the SCI. All developments proposals are required to comply with Building Reg M on accessibility</p>

Mitcham Cricket Green Community and Heritage	<p>a poor quality online management system for planning applications using an out of date version of Planning Explorer</p> <p>an inability to access planning applications and related information via an online map, as is the norm in other London boroughs</p> <p>recent withdrawal of citizen representations on planning applications from Planning Explorer and removal of information on closed planning applications, contrary to the practice of the majority of local planning authorities in both London and England</p>	Please see part b “The council’s response to planning applications” (para 3.12) below.
	<p>inadequate transparency in the operation of the Design Review Panel, including in the recruitment of members, provision of information on meetings, participation of Planning Committee members, lack of public access to meetings involving Merton Council’s own development, convening of sub-groups without any publicity or public record and limited and inconsistent provision of reports</p> <p>inconsistent provision of pre-application advice and Design Review Panel reports on Planning Explorer</p>	Please see part a “The Council’s response to Design Review Panel” (para 3.4) below
	<p>inadequate and inconsistent neighbour notification</p>	Your comment have been forwarded to the Development Management team. The Council sends out notifications/letters using Royal Mail.

	<p>recently reduced opportunities for the public to speak at Planning Committee meetings for a local authority which prides itself on being one of the first to make this possible</p>	<p>The procedure for Public Speaking at Planning Committee changed in 2017.</p> <p>Prior to May 2017 three objectors were allowed to speak and each was allowed 3 minutes.</p> <p>After May 2017 the number of objectors routinely allowed was reduced to two, with each one still allowed 3 minutes.</p> <p>However, public speaking at Planning Committee is at the discretion of the Chair, and when there is a large item with a lot of public interest the Chair has the authority to increase the number of speakers.</p> <p>An example of is the Tesco site, Burlington Road application were, the chair is will be allowing three speakers at this week's meeting on the Tesco site, Burlington Road application.</p> <p>The change in speakers arrangements was confirmed at the Planning Committee Meeting on 17 March 2017: https://mertonintranet.moderngov.co.uk/ieListDocuments.aspx?CId=155&MId=2633&Ver=4</p>
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	<p>poor quality online information presented via a visually unappealing website that is hard to navigate, lacks use of Plain English and provides planning policies buried in multiple policy documents downloadable only as large files</p> <p>inadequate reporting mechanisms for enforcing planning controls and the lack of a public register of outstanding enforcement issues</p>	<p>Merton Council is currently making changes to our webpages in accordance with legislation and/or guidance.</p> <p>We agree that our pages, publications and document should use plain English where feasible</p>
	<p>a failure consistently to abide by internal protocols for acknowledging and responding to emails on planning issues</p>	<p>We note your comment.</p>
	<p>inconsistent approaches to the validation of planning applications submitted with inadequate information</p> <p>variable handling of documents provided online with significant amendments to planning applications and their supporting documents being made without any notification to those making representations</p> <p>an inconsistent approach to publicising “non-material amendments” to planning applications</p> <p>variable quality in the reporting of public representations made on planning applications in officer reports to Planning Committee</p>	<p>Not relevant to the SCI. Your comments have been forwarded to the Development Management team.</p>
	<p>a lack of coherent communications about the work programme and priorities for the future Merton, development management and enforcement teams</p>	<p>Not relevant to the SCI.</p>

	<p>a lack of any protocol for informing applicants seeking pre-application advice of the importance of engaging with identified local community groups, including Mitcham Cricket Green Community & Heritage.</p>	<p>The Council encourages developers to engage with Merton diverse local communities for example community groups/organisation that represent and speak on behalf of BAME (Black and Asian Minority Ethnicity) groups, religious, children and young people demographic who are often underrepresented who may not engaging in the planning matters, as well as heritage groups.</p>
	<p>a lack of engagement with the local community through well-established design tools and processes, including masterplanning and design codes for significant areas</p> <p>a variable and inconsistent approach to community engagement in the development of the planning policy evidence base</p>	<p>The Council will use other appropriate planning/design tool such as masterplanning, where appropriate.</p>
	<p>out of date and incomplete Conservation Area Appraisal and Management Plans which deny the opportunity for community engagement in their future</p> <p>incomplete coverage and completion of character studies across the borough.</p>	<p>The council acknowledges that these documents are either out of date or incomplete –due to resourcing issues (staff) we have in the past been unable to move forward with this work. We hope that in 2020/21 we will be in a position to kick start this important work.</p>
	<p>withdrawal of planning and design issues from the previous Heritage and Design Working Group</p>	<p>Not relevant to the SCI.</p>

<p>Wimbledon East Hillside Residents Association</p>	<ul style="list-style-type: none"> • Lack of transparency and concerns how consultations are held • The use of Survey Monkey as a engagement tool • Comments on Wimbledon (Masterplan) SPD – zero carbon, climate change, 	<p>Our approach to the last Future Wimbledon masterplan consultation was to use Survey Monkey as it's an easy to use digital platform for people to respond, especially on mobiles. It also gives us greater analytic capabilities</p> <p>The Council welcomed all views on the plan, therefore Survey Monkey was set up as a 'free-text' blank box. This allows for all respondents to give their personal views, unrestricted.</p> <p>Following feedback, the current consultation is structured using the themes and sections of the document that were influenced by the community responses.</p>
<p>Ref: 010 SCI 2019</p>	<p>No consultations of any sort are done before an applicant has started his pre-application meetings. The pre-application meetings remain under wraps, behind closed doors.</p>	<p>The Council encourages developers to engage with local communities before submitting planning applications especially for large and sensitive developments.</p>
	<p>1- Planning Management Team: (Development Team)</p> <p>A) Consistent errors in applications which are not amended or corrected except with robust resident insistence. These discrepancies and errors often end up at PAC with erroneous documents which are presented as fact.</p> <p>B) Case officers rarely reply to emails/queries relating to applications</p> <p>C) The culture of the planning control team is to distance themselves as far as possible from</p>	<p>Not relevant to the SCI. We welcome your comments and have forwarded them on to the Development Management and Web team.</p>

	<p>the community or locals. The minimum statutory duty is applied or at times not applied at all. There is an autocratic approach that case officers know best and locals are an irritant to be avoided.</p> <p>D) Inconsistency in decisions, policy interpretation.</p> <p>E) Loss of representations is frequent. Now that representations can't be seen online which alerted one to their potential loss, this remains a huge concern for transparency</p> <p>F) Amendments to major plans on the portal are regularly not flagged to those who sent in representations. Dormant applications of more than a year also have reappeared on PAC agendas with major amendments that no one knew about and accordingly could not comment on. An officer response that they were insignificant still does not allow for statutory consultation to take place.</p> <p>G) Inconsistent handling of what constitutes a non-material change. It seems to depend on the officer; a similar application would be deemed material change when it wasn't with another.</p> <p>H) Unwelcoming and archaic planning website which does not</p>	
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	<p>cater to the lay person – you have to be well-versed in planning and policy in order to respond to consultations and have patience of a god to navigate the website which often has incorrect links.</p> <p>I) Developers are applying unwelcome town-changing plans based on non-adopted planning policies.(Francis Grove/Draft Wimbledon Masterplan) – Future Merton urban team advice according to the applicant.</p> <p>J) Borough character and heritage site studies remain unfinished which leaves the scope open for numerous and damaging development interpretations – Future Merton Team</p> <p>K) Pre-applications don't seem to guide developers away from poor planning examples in the area. NEW planning policies have to be applied and not a re-hash of the old – officers appear not to be well-versed in local aspirations, local knowledge and are slow and reluctant at applying new national policies. The result is a tired, opaque, consistently poor outcome.</p> <p>L) Officers and urban designers regularly advise developers on</p>	
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	<p>site development and not within context of whole street/neighbourhood/a spirited local character for the area. An early conversation with the locals to take their views into account (not just to say they have spoken to locals) could facilitate and expedite the planning process. Poor planning examples continue to dog due to lack of local consultation and not taking local views on board. Why did case officers and urban designer agree for a building to be painted dark grey to create the first anomaly on a vibrant terracotta-dominant high street opposite a popular and well-visited Grade II theatre??</p>	
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1.8 During the public involvement/consultation we received a number of comments on the following topics:

- Design review panel
- Planning applications no longer on the council website

1.9 For these two topics we have combine the comments and the Council responded to them collectively covering the issues raised.

a) The Council's response on **Design Review Panel**

Confidentiality of DRP

1.10 The pre-application process is a legitimate and well established means of discussion between the local planning authority and prospective applicants for planning permission. This is currently run as a 'confidential' service. When the Design Review Panel (DRP) reviews pre-application proposals, it is therefore appropriate to maintain consistency in this

respect. Not to do so is likely to put-off applicants from using the DRP, which they have no obligation to use. This would be detrimental to improving design quality. When pre-applications become live applications for what is essentially the same scheme, the protocol is that the pre-application comments of the DRP should be put on the public application page on Planning Explorer.

Scrutiny of DRP

- 1.11 The DRP is not a constituted council committee and therefore not subject to the same levels of scrutiny and organisation. It is therefore not a collaborative process in itself, but part of one. The views of the DRP are one of many material planning considerations the case officer/Planning Applications Committee (PAC) needs to take into account in making a decision. The DRP is not a decision making body and it is not a substitute for advice given by council officers. It gives specialist design advice to the applicant and council as a whole to enable the applicant to improve its proposals in terms of design, and to inform (but not replace) decision making by the local planning authority.

Public attendance of DRP

- 1.12 The vast majority of design review panels do not consist of public attendance and some do not even publish their comments. This is not a point of secrecy. This is because they are there to seek the views of particular people. Thus with those panels that allow public attendance, the attendees can only observe. In all cases where a design reviewed proposal leads to a full planning application, the DRP comments are either available publicly on the DRP webpage or through the Planning Explorer. As the DRP is an occasional consultee, the need for scrutiny and monitoring should not necessarily be more onerous or different from that applied to other similar consultees.

Workshops and DRP

- 1.13 There are a number of different types of review undertaken, depending on the stage in the development process a proposal is. Workshops are less formal and early stage, and follow-up reviews often smaller and quicker, after a main review has taken place. Merton DRP rarely uses these approaches, but where it does, they are subject to the same public availability as mentioned above.

Recruitment of DRP members

- 1.14 As most DRPs are not a formal part of the committee process of local authorities, recruitment of panel members is not normally done through a council's formal recruitment process. It should also be noted that there are also private companies that run panels for local authorities and they have their own recruitment processes. Recruitment for Merton DRP is

similarly organised. Recruitment is refreshed every few years by advertising through professional organisations. As with any recruitment process, appropriate processes must be balanced with confidentiality for applicants. This process is managed as part of the DRP management with applications assessed and reviewed by suitably qualified officers.

Skill set of DRP members

- 1.15 It is normal practice for Panels to have an 'open invitation' for suitably qualified professionals to express interest in becoming panel members. They are then considered along with others when a periodic membership review happens. Achieving quality design requires a range of built environment skills and recruitment aims to ensure there are appropriate skills represented by panel members. Due regard is also given to making the panel as diverse and representative as those within the profession and to community they serve, seeking an age, gender and ethnicity profile that achieves this. Accessibility requirements for buildings are covered by Building Regulations which practising professionals are required to build by.

DRP Influence on the Planning Committees

- 1.16 Good practice guidance is clear that the views of the DRP are a collective view, and not those of any particular individual. This is the way in which notes are written. Notes are viewed and commented on by Panel members and the chair before being finalised. During meetings the role of the chair ensures every panel member has a say and individuals are not allowed to dominate. These procedures ensure the final notes are a balanced view of the Panel as a whole and provide as clear a steer for the applicant as possible. The chair takes no part in influencing design comments and does not make design comments. As a councillor the chair only manages the way the meeting is run. Traffic light verdicts are intended to give a snapshot view at the end of a meeting. It is the full notes published after the meeting which is the full record of the Panel's views. This system crystallises the views of the Panel and helps give the applicant a clear steer. Notes of meetings are notes of what was said by the panel at the meeting only, and are not altered after the meeting and contain only the views of the Panel which reviews the proposals.

Review of Merton's DRP

- 1.17 The council has been operating a DRP for over 13 years. During this time it has played an important role in improving design quality for a number of built developments. The council is aware however, that in this time the landscape within which design review operates has changed. The policy context has also changed and become clearer regarding the need to have design review panels. To this end the council is undertaking a process of review of how the Merton DRP operates. The purpose of this is to ensure the panel operates according to best practice. This process has begun and will continue throughout 2020."

b) The Council's response on changes to viewing planning applications

- 1.18 Residents are able to comment on planning applications as part of the statutory consultation process. Comments received are fully considered and summarised in the relevant reports which are then uploaded onto the website and are available for public viewing. Such correspondence (redacted) is also available and requests can be made to the development control team (planning.representations@merton.gov.uk). There is no statutory duty to display such representations on the website.
- 1.19 A decision was made not to display representations at this time due to the risk of personal information being uploaded contrary to Article 5 (1) (f) of the GDPR which "requires that personal data shall be: processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures ('integrity and confidentiality')." The Council had experience a number of data breached due to the quantity of such letters received. The decision not to display is in line with around half of other London Councils. However, the council is currently investigating other ways to make representation easily available in the public domain with a new upgrade to the existing IT system which may include redaction software.